

EPA Registration # 71653-6
Volume 3

Material Sent for Data Extraction

Reg # 7165 3-6

Description: 342

☐ Material(s) Sent to Data Extraction Contractors:

☐ New Stamped Label Dated _____

☐ Notification Dated _____

☒ New CSF(s) Dated _____

☐ Other: _____

☐ Decision #: 448122

☐ Other Action/Comments: _____

Attach this coversheet to the top of the material or jacket. It must be well organized and clipped together, NOT STAPLED. Then give the material with this coversheet to staff in the Information Services Center (Room S-4900).

Reviewer: Stacey GR GSBY

Phone: 305-6440 Division: AD

Date: 6/30/11

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 6 2011

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

John Appdunier
Genics
#561 Aeson Rd. 53016 Hwy 60
Acheson AB T7X 5A7 Canada

Subject: Genics CuB
EPA Registration No.: 71653-6
Application Date: April 5, 2011
Receipt Date: April 6, 2011

Dear Mr. Todhunter:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) 3(c)7a, as amended, is acceptable.

Proposed Amendment:

- Minor Formulation Change: Revise Basic Confidential Statement of Formula (CSF) by substituting inert ingredients

General Comment:

The basic formulation dated 4/5/11 is acceptable. It is in compliance with PR Notice 91-2 and in agreement with the label. Copies of the accepted CSF have been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6416 or by e-mail at campbell-mcfarlane.jacqueline@epa.gov or Stacey Grigsby by telephone at (703) 305-6440 or by e-mail at grigsby.stacey@epa.gov during the hours of 8:00am to 4:00pm EST.

Sincerely,

Jacqueline McFarlane
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510)

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



Office of Pesticide Programs

Antimicrobials Division (AD)

June 3, 2011

DP BARCODE: 389039

MRID : NA

SUBJECT: Genics Cub
(Name of Product)

REG. NO.: 71653-6

DOCUMENT TYPE: Product Chemistry Review

Manufacturing-use [] OR End-use Product [x]

INGREDIENTS:

<u>PC Code(s)</u>	<u>CAS Number</u>	<u>Active Ingredient(s)</u>
011103	12280-03-4	Disodium octaborate tetrahydrate
011001	10043-35-3	Boric acid
023401	20427-59-2	Copper hydroxide

TEST LAB: NA

SUBMITTER: Genics Inc.

GUIDELINE: NA

ORGANIZATION: AD\PSB\CTT

REVIEWER: Bal Dubey

APPROVED BY: Karen P. Hicks

APPROVED DATE: June 3, 2011

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



United States
Environmental Protection
Agency

Office of Pesticide Programs

Antimicrobials Division (AD)

June 3, 2011

MEMORANDUM

SUBJECT: Product Chemistry Review for EPA Reg. EPA# 71653-6
Product Name: Genics Cub
DP Barcode: 389039

CODE: (362) Formula Change; Technical

DATE DUE: June 10, 2011

FROM: Bal Dubey, Chemist
Chemistry and Toxicology Team
Product Science Branch
Antimicrobials Division (7510P)

THRU: Karen Hicks, Team Leader
Chemistry and Toxicology Team
Product Science Branch
Antimicrobials Division (7510P)

TO: Jacqueline Campbell-McFarlane / Stacey Grigsby

Regulatory Management Branch II
Antimicrobials Division (7510P)

Applicant: Genics Inc.

PRODUCT FORMULATION FROM LABEL:

<u>PC Codes</u>	<u>Active Ingredient(s):</u>	<u>% by wt.</u>
011103	Disodium Octaborate tetrahydrate	9.10
011001	Boric Acid	0.89
023401	Copper hydroxide	0.99
	<u>Other Ingredient(s):</u>	<u>89.02</u>
	Total:	100.00

BACKGROUND: The registrant is seeking approval for a minor formulation change. The subject amendment seeks to substitute [REDACTED] inert in place of [REDACTED] inert.

FINDINGS:

The nominal concentration of the active ingredients are not changed (See the CBI Document attached).

The identity of the proposed substitute inert ingredients are listed on EPA's inert pesticide list.

The product is not registered for food use, so the tolerances are not an issue.

The substitute inert will perform the functions of the inert being replaced.

The product is not a bait or repellent and is not intended to be used to control pests of significance for public health.

ACTIONS TAKEN:

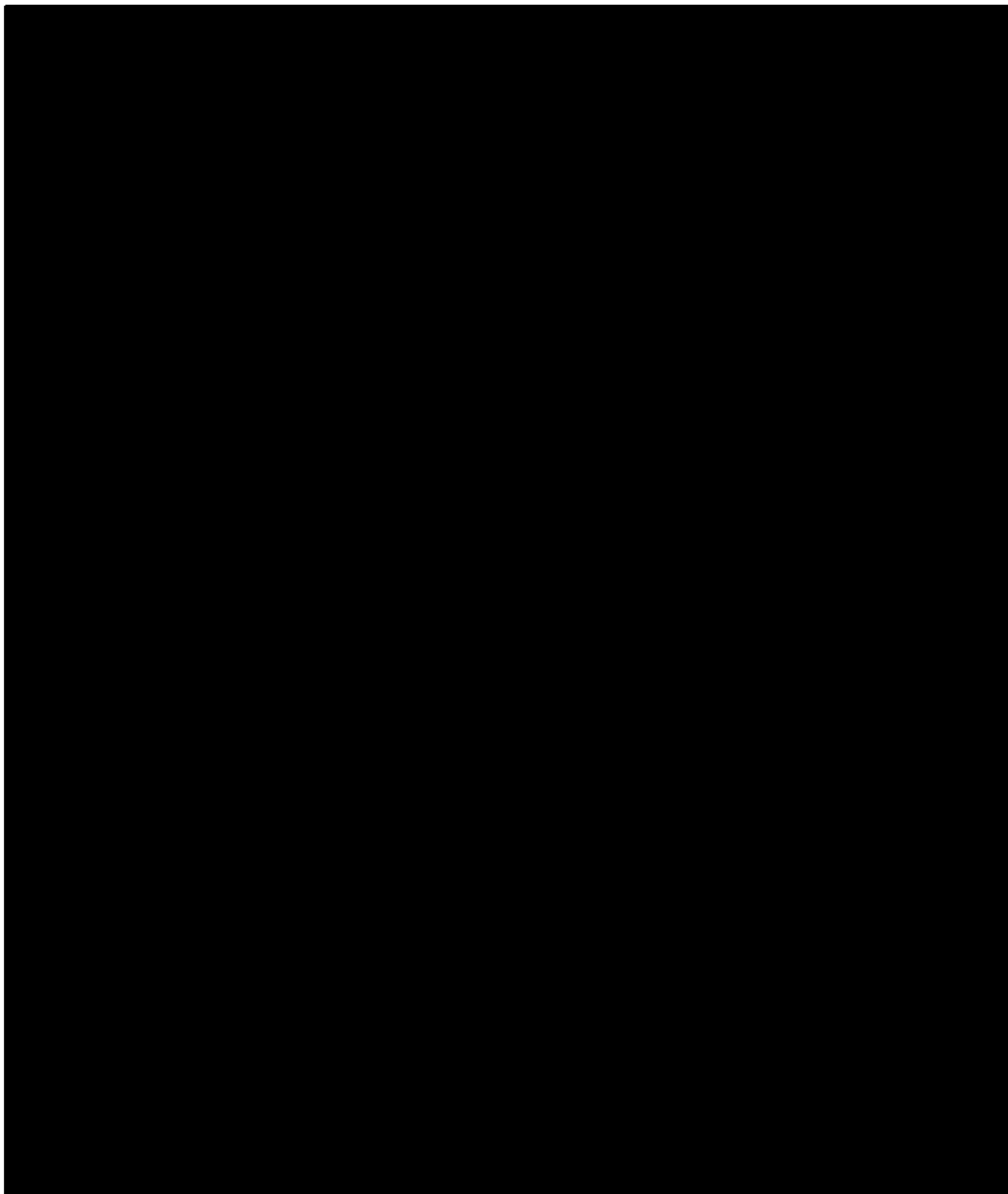
The proposed concentration on the label was compared with the label approved on August 6, 2010 and was found to be satisfactory. The product is approved only for non-food use.

CONCLUSION:

The proposal from the registrant is approved for non-food use.

Manufacturing process information may be entitled to confidential treatment

CONFIDENTIAL APPENDIX





	Registration
x	Amendment
	Other

OPP Identifier Number

1. Company/Product Number 71653-6	2. EPA Product Manager Marc Suarez J Campbell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Genics CuB	PM# 13 34 McFarlane	
5. Name and Address of Applicant (Include ZIP Code) Genics, Inc. #561 Acheson Rd. 53016 Hwy 60 Acheson, AB T7X 5A7, Canada <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(ii), my product is similar or identical in composition and labeling to: EPA Reg. No. 71653-6 Product Name Genics CuB	

<input checked="" type="checkbox"/>	Amendment - Explain below.	<input type="checkbox"/>	Final printed labels in response to Agency letter dated _____
<input type="checkbox"/>	Resubmission in response to Agency letter dated _____	<input type="checkbox"/>	"Me Too" Application.
<input type="checkbox"/>	Notification - Explain below.	<input type="checkbox"/>	Other - Explain below.


MINOR FORMULATION AMENDMENT PER PR NOTICE 98-10
[See attached explanatory letter]

Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt. _____ No. per container _____		If "Yes" Package wgt. _____ No. per container _____			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container			4. Size(s) Retail Container 2 & 5 Gallons			5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____				

Name John A. Todhunter	Title Registration Agent	Telephone No. (Include Area Code) 202-674-8099
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I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

8. Date Application Received
(Stamped)

2. Signature 

3. Title
Registration Agent

4. Typed Name
John A. Todhunter

5. Date
04-05-2011



U.S. ENVIRONMENTAL PROTECTION
AGENCY

Office of Pesticide Programs
Antimicrobials Division (7510P)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

NOTICE OF PESTICIDE:

 Registration
 x Reregistration

(under FIFRA, as amended)

EPA Reg.
Number:

71653-6

Date of
Issuance:

AUG 26 2010

Term of Issuance:

Conditional

Name of Pesticide Product:

Genics CuB

Name and Address of Registrant (include ZIP Code):

Genics, Inc
561 Acheson Rd 53016 Hwy 60
Acheson, AB Canada T7X 5A7

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the Coppers RED, the EPA has reregistered this product subject to the comments recorded in the succeeding paragraph. This action is taken under the authority of section 4(g)(2) of the Federal Insecticide, Fungicide and Rodenticide Acts, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. The EPA may require submission of data at any time to maintain the registration of the subject product.

1. Make the following label changes:

- a. The claim immediately below the product name on page 1 must be revised to read "*For the preservation and protection of wood or wood composites susceptible to fungal decay, mold, termite, or insect attack.*"
- b. According to PR Notice 2001-1, First Aid Statements, the label must include a company number or toll free hotline number to obtain information about the product in emergency situations. Therefore, add the statement, "You may also contact

Signature of Approving Official:

Jacqueline Campbell-McFarlane
Product Manager Team-34
Regulatory Management Branch II
Antimicrobials Division (7510P)

Date:

AUG 26 2010

[insert phone number 1-800-xxx-xxxx] for emergency medical treatment information." It must appear after the statement, "Have the product container or label..."

- c. Revise the ingredient's statement to read:

Active Ingredients:

Disodium Octaborate Tetrahydrate	9.10%
Boric Acid.....	0.89%
Copper Hydroxide* (CAS # 20427-59-2)	0.99%
Inert Ingredients	89.02%
Total	100.00%

*Metallic Copper Equivalent 0.64%

- d. Based on the Copper RED, the following statements must be added to the label after the "Precautionary Statements:"

Personal Protective Equipment (PPE)

Mixers, loaders, applicators, and other handlers must wear the following:

- Long-sleeved shirt,
- Long pants,
- Shoes plus socks

User Safety Requirements

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent materials that have been drenched or heavily contaminate with this product's concentrate. Do not reuse them.

Users must wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

Users must remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users must remove PPE immediately after handling the product. As soon as possible, wash thoroughly and change into clean clothing.

- e. Based on the Agency letter dated June 19, 2008, there is no data on file to support structural protection claims. Therefore, you must delete the 2nd paragraph under "General Information" on page 2 and the "New Construction Treatment" directions on page 3.

- f. The following disclaimer must be added to the label to clarify the appropriate use pattern:

CONCURRENCES

SYMBOL	Genics CuB is not intended as a substitute for mechanical alteration, soil treatment, or	
SURNAME	foundation treatment	Genics CuB is not intended for application to soil. In areas where a
DATE	soil treatment/barrier	termite/treatment is required, Genics CuB may be applied as a

supplemental pretreatment to protect wood from subterranean termites that may penetrate chemical gaps occurring in termiticide-treated soil. Genics CuB is not a soil termiticide. Do not use to treat soil directly. When active infestations exist, get a professional inspection.

- g. According to 40 CFR 156.10 (i) (2)(ii), the general misuse statement, "It is a violation of Federal Law to use this product in a manner inconsistent with its labeling," must appear immediately after the "Directions for Use" heading.
- h. The "Directions for Use" must be brought into compliance with PR Notice 2000-5, Mandatory Labeling, by deleting the term, should and stating "must."
- i. According to the Copper RED, add the following "Environmental Hazards" statements:

Environmental Hazards


This pesticide is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of EPA.

- j. Revise the "Container Disposal" statements to be in compliance with the Container Rule by adding the statements, "Nonrefillable container. Do not reuse or refill this container."
2. A stamped copy of the label is enclosed for your records. Submit two (2) copies of the revised labeling bearing the labeling revisions listed above.

If these conditions are not complied with, this registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

If you have questions concerning this matter, please contact me at (703) 308-6416 or by email at Campbell-McFarlane.Jacqueline@epa.gov.

Sincerely,


Jacqueline Campbell-McFarlane
Product Manager (34)

Regulatory Management Branch II

Antimicrobials Division (7510P)

CONCURRENCES

SYMBOL	Enclosure	Stamped Label					
SURNAME		Chemistry/Acute Toxicology Data Evaluation					
DATE							

GENICS INC.

Genics CuB

For the preservation and protection of wood,
wood composites, or any weatherable product susceptible
to fungal decay, mold, termite or insect attack.

For Interior and Exterior Use

READY TO USE; NO DILUTION REQUIRED

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

If in Eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first five minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

If on Skin or Clothing: Take off contaminated clothing. Rinse skin immediately for 15-20 minutes. Call poison control center or doctor for treatment advice.

If Inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

If Swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

ACTIVE INGREDIENTS:

Disodium Octaborate	9.10%
Boric Acid	0.89%
Copper Hydroxide	0.99%
Inerts	89.02%
TOTAL:	100.00 %

EPA Reg. No. 71653-6
US EPA Est. 71653-CAN-01

Net Contents : x Gallons

Genics Inc.
#561 Acheson Rd. 53016 Hwy 60
Acheson, AB T7X 5A7
(780) 962-1000 FAX: (780) 962-1052
1-877-9-GENICS

AUG 26 2010

71653-6

**It is a violation of Federal Law to use this product
in a manner inconsistent with its labeling.**

READ THE ENTIRE LABEL BEFORE USE.

PRECAUTIONARY STATEMENTS

May be harmful if swallowed. Avoid contact with eyes and skin. May cause eye irritation. Avoid rubbing eyes while working with product. Wash hands thoroughly with soap and water after handling and before eating, drinking or smoking. Store and wash all protective clothing separately from household laundry. Personal protective clothing, normal work clothes (i.e. long pants, shoes, a long sleeved shirt) plus waterproof gloves for all users of product. Do not leave container where children or animals may gain access.

GENERAL INFORMATION

When spraying overhead interior areas of homes, apartment buildings, etc., cover or protect all surfaces below the area being sprayed with plastic sheeting material that can be disposed of if contamination from dripping occurs. Do not apply in food serving areas while food is exposed.

~~In new construction applications for the prevention of subterranean termites, structural wood is defined as only wood needed for the basic building structure as found in the dried in stage of construction, including wood in direct contact with foundations, interior and exterior wall sill plates, wood studs, wood or cellulosic sheathing, floor joists and sub-flooring. For new construction, this product may be considered a stand alone (primary) treatment for protection against subterranean termites (including Formosan termite), in states requiring a preconstruction treatment. This product may also be used in conjunction with other termite control tactics to provide additional protection.~~

Use soap and water to clean up tools.

In structures where a soil treatment/barrier termiticide has been applied and/or termite bait system installed, Genics CuB may be applied as an additional treatment to protect wood from subterranean termites that may have penetrated the chemical gaps occurring within the termiticide-treated soil or have bypassed the bait/monitor systems and entered the structure. For termites, beetles, other insects and decay fungi that can fly or be carried directly into the structure, entirely bypassing the soil treatment.

As a remedial treatment, Genics CuB will both eliminate and prevent infestations of Formosan, native subterranean termites, wood boring beetles, carpenter ants and decay fungi. It may also be used as a supplement or alternative to fumigation in order to provide long-term residual control. Since Genics CuB is applied directly in the structure, it can be used in areas where environmental contamination is of concern (nearby wells, cisterns, etc.). The active ingredients in Genics CuB are inorganic salts and once in place, will not decompose or volatilize out of the wood.

Genics CuB is not a soil termiticide. Do not use to directly treat soil except as directed.

Older wood boring beetle larvae and especially pupae (particularly Old House Bores) already present in the wood at the time of treatment may occasionally emerge some time after treatment. This is because they are no longer feeding on the wood. This will

not occur frequently enough to cause structural damage to any wooden member and reinfestation is prevented.

DIRECTIONS FOR USE

Genics CuB is READY-TO-USE and should be applied as an undiluted product by dip, spray, brush, roller or other means of application that allows thorough coverage of the surface.

Genics CuB may be used on all cellulosic materials including wood, plywood, particle board, paper, oriented strand board (OSB) cardboard, wood composite, and foam materials. Apply Genics CuB only to bare wood, plywood, particle board and other cellulosic materials where an intact water repellent barrier, such as paint, stain or sealant is not present. Do not apply to frozen wood.

Genics CuB is a highly effective termiticide, insecticide, fungicide and moldicide that eliminates infestations and provides long term protection against:

Subterranean Termites: Reticulitermes, Heterotermes
Formosan Termites: Coptotermes
Drywood Termites: Incisitermes, Kaloterms
Dampwood Termites: Zootermopsis, Neotermes
Old House Borers, Longhorn Beetles (Cerambycidae)
Carpenter Ants (Camponotus)
Furniture and Deathwatch Beetles (Anobiidae)
Ambrosia Beetles: Platypodidae, Scolytidae
Powderpost Beetles: Lyctidae, Bostrichidae
Anobiid Beetles: Anobiidae
Wood Decay: Brown, White and Dry rot

Dip Treating Logs and Lumber: Sticker bundle wood to ensure the solution covers all wood surfaces. Submerge logs and/or lumber in the solution for at least one (1) minute or until all entrapped air has escaped. After dipping, the newly treated wood should be stacked and stored under a tarpaulin or shed roof to slow the drying process and prevent wash off by rainfall, thus improving penetration. Complete penetration may require several weeks to occur, depending upon species and thickness of wood.

Brush/Roller/Spray: For remedial control, two applications of Genics CuB are normally required for control of decay or insects while only a single application will control mold. Apply Genics CuB solution by brush, roller or spray until wood surface is thoroughly wet, at a rate of approximately 1 litre per 10 square meters [1 gal per 400 square feet] of wood surface area. When spraying, apply evenly using a medium or coarse spray at low pressures (1–2 kg/cm² [<25 psi]). Thoroughly soak cut ends. Additional coats may be applied if necessary, waiting at least 20 minutes between applications.

~~**New Construction Treatment:** For protection of wood against subterranean termites, apply Genics CuB at the 'dried-in' stage of construction, when structural wood is most accessible. This application would usually occur after walls are in place but not covered with drywall, and before installation of electrical wiring or placement of insulation. Apply one coat of Genics CuB thoroughly to structural wood, including sill plates, piers, subfloors, studs or any other structural wood component. Use no less than 1 gallon of product per 400 square feet (1 liter per 10 square meters) of treated wood. For slab~~

~~construction apply continuous band to base plate and w. to a minimum height of 0.6 meters (2 feet) from the slab. For other types of construction, apply a two foot (0.6 m) band around all cellulosic materials in crawl spaces and basements. In cases where access to structural wood is limited to two or less sides, two coats should be applied 20 minutes apart.~~

Pressure Treatment: Pressure Treatment must rigidly adhere to the current specifications of Genics CuB or those of the American Wood Preservers' Association (AWPA) for borates.

Injection: Application may be made by drilling, then injecting the solution into infested areas until refusal occurs. Product may also be applied as a foam by adding 3 to 8 ounces of foam per gallon of solution. Apply foam so as to completely fill the void and contact all surfaces in the void space.

It is important to allow treated material to completely dry (at least 48 hours, depending upon temperature and humidity) before applying any protective finish. The finish or topcoat should be applied within two weeks of treatment if the treated product is exposed to rain or running water. Although a wide variety of paints and stains have been successfully used over Genics CuB treated wood, it is always a good idea to coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

STORAGE and DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool, dry place inaccessible to children and pets and away from food or feed. Do not freeze.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned stay out of smoke.

Date: July 9, 2010

Reg. No.: 71653-6

Product Name: Genics CuB

PM Name/Number: Jacqueline Campbell-McFarlane, Risk Management Team 34

Primary Reviewer: Judy Loranger

Secondary Reviewer: Mark Perry

Judy Loranger 7/21/10
MP

New label or date of AD amended label: New, Received on 4/15/10

Formulation Type: Ready-to-use solution

Active Ingredient Assessed: Copper hydroxide/023401

Other ai's in product

Name/PC code:

Reregistration Status or Registration Date:

Boric acid/011001

Product registered after Boric Acid RED was issued.

Boron sodium oxide/011107

Product registered after Boric Acid RED was issued.

Note to PM:

1) Because this product may be used outdoors ("For interior and exterior use"), the Risk Management and Implementation Branch V recommends that the following Environmental Hazards statements specified in the Copper RED be added to the label but defers to AD regarding this issue:

"This pesticide is toxic to fish and aquatic invertebrates and may contaminate water through runoff. This product has a potential for runoff for several months or more after application. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate."

Assessment can be found N:\prb\label\071653\006

1) Per the product chemistry review, revisions are needed to the ingredient statement. In addition, a footnote must be added to the ingredient statement listing the percent metallic copper equivalent of 0.64%.

2) As specified in the acute toxicity review, the text in **bold type** should be added to the text currently on the label:

“Have the product container or label with you when calling a poison control center or doctor or going for treatment. **You may also contact [insert phone number 1-800-xxx-xxxx] for emergency medical treatment information.**”

3) The Precautionary Statements must be revised to read as specified below:

“Precautionary Statements

Hazards to Humans and Domestic Animals

May be harmful if swallowed. Avoid contact with eyes and skin. May cause eye irritation. Avoid rubbing eyes while working with product.

Personal Protective Equipment (PPE):

Applicators and other handlers must wear:

Long-sleeved shirt and long pants,
Shoes and socks.”

Note: The remaining text in this section should be replaced with required text specified below.

4) Per the RED, the following User Safety Requirements text must be added to the label:

“Follow manufacturer’s instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product’s concentrate. Do not reuse them.”

5) Per the RED, the following User Safety Recommendations must be added to the label and placed in a box:

“User Safety Recommendations

User should wash hands before, eating, drinking, chewing gum, using tobacco, or using the toilet.

User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.”

6) Per the product chemistry review, revisions are needed to the storage and disposal section of the label.

7) The following text must be added to the label:

“Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.”



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

May 8, 2009

MEMORANDUM:

Subject: EPA Reg. No.: 71653-6/Genics CuB
DP Barcode: 361210
Case No.: 0649

From: Marianne Lewis, Biologist
Product Reregistration Branch
Special Review and Reregistration Division (7508P)

To: Bonnie Adler, CRM
Product Reregistration Branch
Special Review and Reregistration Division (7508P)

Applicant: Genics, Inc
561 Acheson Rd. 53016 Hwy 60
Acheson, AB Canada T7X 5A7

FORMULATION FROM EPA Reg. No. 71653-6 LABEL:

	<u>% by wt.</u>
<u>Active Ingredient(s):</u>	
Copper Hydroxide.....	0.96%
Boric Acid.....	0.86%
Disodium Octaborate Tetrahydrate.....	8.80%
<u>Other Ingredient(s):</u>	<u>89.38%</u>
Total	100.00%

BACKGROUND: In the 8 month response to the Coppers RED, the registrant is citing the acute toxicity studies to support the reregistration of their product, EPA Reg. No. 71653-6. The MRID's are as follows: 469801-01 (81-1), 469801-02 (81-2), 469801-03 (81-3), 469801-04 (81-4), 469801-05 (81-5), 469801-06 (81-6). The studies were conducted by Stillmeadow Labs and the test material used the subject product. These studies were reviewed and found to be acceptable by PRB/SRRD on 3/2/09.

RECOMMENDATIONS:

- Five (81-1, 81-2, 81-3, 81-4, 81-5) acute toxicity studies cited are acceptable to support the reregistration of EPA Reg. No. 71653-6.
- The skin sensitization study (81-6) cited is unacceptable. However, based on the information in the open literature, the Agency will classify the subject product as a non-sensitizer, a new study is not needed.

The acute toxicity profile for EPA Reg. No. 71653-6 is currently:

Acute Oral	IV	Acceptable
Acute Dermal	IV	Acceptable
Acute Inhalation	IV	Acceptable
Primary Eye	IV	Acceptable
Primary Dermal	IV	Acceptable
Skin Sensitization	non-sensitizer	Unacceptable

NOTE: The acute toxicity study requirements have been satisfied for the subject product

LABELING:

ID #: 071653-00006 GENICS CuB

SIGNAL WORD*: **CAUTION**

HAZARDS TO HUMANS AND DOMESTIC ANIMALS:

Wear long sleeved shirt, long pants, shoes, and socks.

FIRST AID*:

IF SWALLOWED: Immediately call a poison control center or doctor. Do not induce vomiting unless told to by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

IF IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-xxx-xxxx for emergency medical treatment information.

*Note to Label Review Team: No First Aid statements or Signal Word are required due to the toxicity categories. If the registrant wishes to include First Aid statements or Signal Word then they must be the same as listed above.

USER SAFETY RECOMMENDATIONS:

User should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. Wash the outside of

gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

DATE OUT: 25/MAY/10

SUBJECT: PRODUCT CHEMISTRY REVIEW OF: TGAI []; MUP []; EUP [x]

BARCODE NO.: 377382 REG./FILE SYMBOL NO.: 71653-6

PRODUCT NAME: Genics CuB MRID NO.: 479403-01

COMPANY NAME: Genics Inc. ACTION CODE: 676

FROM: Shirley H. Keel, Environmental Protection Specialist
Product Chemistry Team
RMIB V/PRD (7508P)



TO: Bonnie Adler, CRM
Risk Management and Implementation Branch V
Pesticide Re-evaluation Division (7508P)

INTRODUCTION:

With this resubmission in response to our review dated 4/20/10, Barcode No. 376594, the registrant provided a basic CSF (dated 5/4/10) for the "over-formulated product," now called "test article." In an e-mail message, dated 5/4/10, the registrant explained that the two-year room temperature storage stability/corrosion characteristics study conducted on the "test article" (in MRID No. 479403-01) is applicable to the subject product. The registrant is requesting FIFRA Section 4 reregistration of Genics CuB, EPA Reg. No. 71653-6.

FINDINGS:

1. EPA Reg. No. 71653-6 is an end-use product that contains the active ingredients—0.99% Copper Hydroxide and 11.8% Boric Acid equivalent (0.89% Boric Acid and 9.1% Disodium Octaborate Tetrahydrate).
2. The basic CSF of the "test article" (dated 5/4/10) indicates that the "test article" contains the same active and inert ingredients as the subject product but differs in the concentrations of the active ingredients. The concentrations of all three active ingredients of the "test article" are higher: 1.29% Copper Hydroxide, 1.16% Boric Acid, and 11.83% Disodium Octaborate Tetrahydrate. The latter two active ingredients can be combined and expressed in 15.78% Boric Acid equivalent. MRID No. 479403-01 reports the results of two-year room temperature storage stability and corrosion characteristics studies of the "test article," which was reviewed on 1/25/10 under Barcode No. 373350. The average concentrations of the active ingredients in the "test article" during one-year storage period are presented in the following table.

Test Period	Copper Hydroxide $\text{Cu}(\text{OH})_2$ (Mean % w/v)	Boric Acid equivalent H_3BO_3 (Mean % w/v)
Initial	1.23	16.30
3 Months	1.15	15.20
6 Months	1.30	17.09
12 Months	1.33	17.18

The data reported in MRID No. 479403-01 are acceptable and applicable to Genics CuB. Guidelines 830.6317 Storage Stability and 830.6320 Corrosion Characteristics are satisfied.

Note to Label Review Team/PM:

- Finding #1, fourth item, of the previous review, dated 4/20/10 under Barcode No. 376594, and the ingredient statement panel in Finding #5, third item, of the previous review, dated 3/2/09 under Barcode No. 358641, are no longer relevant.
- The Ingredient Statement panel of the revised draft label should appear as follows.

Active Ingredients:

Disodium Octaborate Tetrahydrate	9.10%
Boric Acid	0.89%
Copper Hydroxide* (CAS # 20427-59-2)	0.99%

Inert Ingredients	<u>89.02%</u>
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Total	100.00%
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*Metallic Copper Equivalent 0.64%

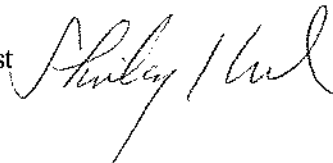
CONCLUSIONS:

The registrant has now satisfied the product chemistry data requirements for the reregistration of EPA Reg. No. 71653-6.

DATE OUT: 20/APR/10

SUBJECT: PRODUCT CHEMISTRY REVIEW OF: TGAI []; MUP []; EUP [x]
BARCODE NO.: 376594 REG./FILE SYMBOL NO.: 71653-6
PRODUCT NAME: Genics CuB MRID No. 479403-01
COMPANY NAME: Genics Inc. ACTION CODE: 676

FROM: Shirley H. Keel, Environmental Protection Specialist
Product Chemistry Team
RMIB V/PRD (7508P)



TO: Bonnie Adler, CRM
Risk Management and Implementation Branch V
Pesticide Re-evaluation Division (7508P)

INTRODUCTION:

With this resubmission in response to our reviews, dated 1/25/10 (Barcode No. 373350) and 4/12/10 (Barcode No. 375066), the registrant provided a revised draft label received by EPA on 4/15/10. The registrant is requesting FIFRA Section 4 reregistration of Genics CuB, EPA Reg. No. 71653-6.

FINDINGS:

1. The Ingredient Statement of the revised draft label needs another revision.
 - The active ingredient name "Disodium Octaborate" needs to be revised. It should read Disodium Octaborate **Tetrahydrate**
 - Per CFR§ 156.10(g), the inert ingredients must be designated by the term **Inert Ingredients**, not "Inerts." Both terms—**Active Ingredients** and **Inert Ingredients**—should be in the same type size, be aligned to the same margin and be equally prominent.
 - Per the Coppers RED, the Chemical Abstracts Service (CAS) number of the active ingredient must be listed on the label. The active ingredient "Copper Hydroxide" must be revised to read Copper Hydroxide (CAS # 20427-59-2).
 - Two footnotes indicating "Boric Acid equivalent, 11.8%" and "Metallic Copper Equivalent, 0.75%" must be added to the ingredient panel.

The above revisions will be addressed during the label review.

2. The revised draft label indicates that EPA Reg. No. 71653-6 contains the active ingredients—9.1% Disodium Octaborate Tetrahydrate, 0.89% Boric Acid and 0.99% Copper Hydroxide. The label claim nominal concentrations of the active ingredients now agree with the concentrations of the active ingredients stated in the basic CSF (11/10/09), meeting the requirements of PR Notice 91-2. The certified limits for the active and inert ingredients are acceptable as per 40 CFR §158.175(b)(2). All ingredients listed in the CSF are cleared for use in pesticide formulations.

Note to PM:

The information on EPA Reg. No. 71653-6 recorded in OPPIN database needs to be updated. In the Window of Registration Details, one active ingredient name and the Percent Wt Values of all three active ingredients need to be changed in order to be consistent with the name and nominal concentrations posted on the current label.

- The ingredient name “Boron sodium oxide” should be changed to **Disodium Octaborate Tetrahydrate**. The corresponding CAS number and PC Code should also be updated.
 - The Percent Wt Value of Copper Hydroxide should be changed from 0.96% to **0.99%**.
 - The Percent Wt Value of Boric Acid should be changed from 0.86% to **0.89%**.
 - The Percent Wt Value of **Disodium Octaborate Tetrahydrate** should be changed from 8.8% to **9.10%**.
3. The basic CSF (11/10/09) and the revised label (4/15/10) confirm that the subject product contains 0.99% Copper Hydroxide and 11.8% Boric Acid equivalent (9.1% Disodium Octaborate Tetrahydrate and 0.89% Boric Acid). Considering the explanation given in the e-mail, dated 3/4/10, the reviewer concludes that MRID No. 479403-01 reports the results of two-year room temperature storage stability and corrosion characteristics studies of an “over-formulated” product with 1.26% Copper Hydroxide and 16.41% Boric Acid equivalent. It appears that the “over-formulated” product is not the subject product Genics CuB. The Agency requests that the registrant submit a copy of the basic CSF of the “over-formulated” product. The Agency will evaluate the validity of the SS/CC study reported in MRID No. 479403-01 and assess its applicability to the subject product. The requirements of Guideline 830.6317 Storage Stability have not been met.

CONCLUSIONS:

Except for Finding #3, the registrant has satisfied the product chemistry data requirements for the reregistration of EPA Reg. No. 71653-6.

DATE OUT: 12/APR/10

SUBJECT: PRODUCT CHEMISTRY REVIEW OF: TGAI []; MUP []; EUP [x]

BARCODE NO.: 375066 REG./FILE SYMBOL NO.: 71653-6

PRODUCT NAME: Genics CuB

COMPANY NAME: Genics Inc. ACTION CODE: 676

FROM: Shirley H. Keel, Environmental Protection Specialist
Product Chemistry Team
RMIB V/PRD (7508P)



TO: Bonnie Adler, CRM
Risk Management and Implementation Branch V
Pesticide Re-evaluation Division (7508P)

INTRODUCTION:

With this resubmission in response to our review dated 1/25/10, Barcode No. 373350, the registrant provided an e-mail, dated 3/4/10, to explain the concentrations of active ingredients in the subject product and the validity of the storage stability/corrosion characteristics study (MRID No. 479403-01). The registrant is requesting FIFRA Section 4 reregistration of Genics CuB, EPA Reg. No. 71653-6.

FINDINGS:

1. The submitted product label of EPA Reg. No. 71653-6 states the contents of product's active ingredients: 9.1% Disodium Octaborate Tetrahydrate, 0.51% Boric Acid and 0.96% Copper Hydroxide.
2. Our previous review, dated 1/25/10 (Barcode No. 373350) and the registrant's response, dated 3/4/10, refer to the most recent basic CSF (11/10/09) indicating that the subject product contains the active ingredients Disodium Octaborate Tetrahydrate (9.1%), **Boric Acid (0.89%)** and **Copper Hydroxide (0.99%)**. The concentrations of Boric Acid, **0.89%**, and Copper Hydroxide, **0.99%**, stated in the basic CSF are inconsistent with the concentrations posted on the label, 0.51% Boric Acid and 0.96% Copper Hydroxide. The registrant must clarify these discrepancies between the most recent basic CSF (11/10/09) and the current draft label.
3. MRID No. 479403-01 will be reconsidered pending the clarification of the nominal concentrations of Copper Hydroxide and Boric Acid in Reg. No. 71653-6.

CONCLUSIONS:

Except for Findings #2 and #3, the registrant has satisfied the product chemistry data requirements for the reregistration of EPA Reg. No. 71653-6.

DATE OUT: 02/MAR/09

SUBJECT: PRODUCT CHEMISTRY REVIEW OF: TGAI []; MUP []; EUP [x]
BARCODE NO.: 358641 REG./FILE SYMBOL NO.: 71653-6
PRODUCT NAME: Genics CuB MRID NOS.: 452717-01, 473560-01, -02
COMPANY NAME: Genics Inc. ACTION CODE: 674

FROM: Shirley H. Keel, Environmental Protection Specialist
Product Chemistry Team
PRB/SRRD (7508P)



TO: Bonnie Adler, CRM
Product Reregistration Branch
Special Review and Reregistration Division (7508P)

INTRODUCTION:

A Reregistration Eligibility Decision (RED) entitled *Coppers*, including Case Nos. 0636, 0649, 4025 and 4026, was issued in July 2006 for the Copper Compounds. This RED included 34 copper compounds of which 13 were indicated as having been cancelled. According to the *Coppers* RED, the generic database supporting the reregistration of Copper Compounds for their current uses has been reviewed and found to be substantially complete.

In the 8-month response to the *Coppers* RED, in support of the reregistration of Genics CuB, EPA Reg. No. 71653-6, the registrant submitted a Confidential Statement of Formula (CSF), a basic formulation, dated 2/22/08; a draft label received by EPA on 2/27/08; and product chemistry data in MRID numbers 452717-01, 473560-01 and -02.

FINDINGS:

1. EPA Reg. No. 71653-6 is an end-use product that contains the active ingredients—Copper Hydroxide, Boric Acid and Disodium Octaborate Tetrahydrate at label claim nominal concentrations of 0.96%, 0.51% and 9.1% respectively. The concentrations of Boric Acid and Disodium Octaborate Tetrahydrate on the label are inconsistent with the concentrations stated in the CSF, 0.86% and 8.80% respectively.
2. The CSF for the basic formulation, dated 2/22/08, is not acceptable because of significant typographical errors. The date of the basic CSF should be February 22, 2008, not “1008.” The box number of **Date** is **21**, not “1.” The inerts of the source material Cobra Crush MDT should not be presented in the CSF. The information in the row with “Inerts in Cobra Crush MDT” should be removed. The other information in the CSF is acceptable. The certified limits for the active and inert ingredients are acceptable as per 40 CFR §158.175(b)(2). All ingredients listed in the CSF are cleared for use in pesticide formulations.
3. Except for Finding #4, the product chemistry data reported in MRID Nos. 452717-01, 473560-01 and -02 satisfy the requirements of the Guidelines under Subgroups A and B, which pertain to the Product Identity, Composition and Analysis, and Physical and Chemical Properties respectively.

4. There is no data in MRID No. 466065-01 (cited in MRID No. 473560-02) to support the storage stability and Corrosion characteristics of the subject product. The registrant needs to conduct one-year storage stability/corrosion characteristics studies. Requirements of Guidelines 830.6317 Storage Stability and 830.6320 Corrosion Characteristic have not been met ("data gap").
5. The ingredient statements of the draft label need to be revised.
 - The percentage of active ingredients contained in the product needs to be consistent with the percentage by weight (column 13b) stated in the CSF.
 - For copper compounds, the respective Chemical Abstracts Service (CAS) number must be listed.
 - The amount of metallic copper equivalent must be expressed as the percentage by weight directly below the Ingredient Statement

The Ingredient Statement panel should appear as follows.

Active Ingredients:

Disodium Octaborate Tetrahydrate	8.80%
Boric Acid	0.86%
Copper Hydroxide* (CAS # 20427-59-2)	0.96%
Inert Ingredients	89.38%
Total	100.00%

*Metallic Copper Equivalent 0.75%

6. There are **no** physical/chemical hazards present in the product that will trigger the Physical or Chemical Hazards subheading.
7. The Storage and Disposal section of the draft label needs to be revised.
 - For commercial use, the product label under the subheading Pesticide Disposal must contain the following text:
 "Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance."
 - It is recommended that the Storage and Disposal statements be presented in a text box for increased prominence.

The above recommendations should be addressed during the label review.

CONCLUSIONS:

Except for Findings #2 and #4, the registrant has satisfied the product chemistry data requirements for the reregistration of EPA Reg. No. 71653-6.

Product Chemistry Data**Subgroup A: Series 830.1550 - 830.1800 (40 CFR 158.155 - 158.180)****Product Identity, Composition, and Analysis**

GUIDELINE REFERENCE NO. (GRN)/ TITLE 830	40 CFR §	MRID Number	Data Fulfilled
.1550 Product Identity and Composition	158.320	CSF	Y
.1600 Description of Materials Used to Produce the Product	158.325	473560-01 (MSDS) & CSF	Y
.1650 Description of Formulation Process	158.335	473560-01	Y
.1670 Discussion of Formation of Impurities	158.340	473560-01	Y
.1750 Certified Limits	158.350	CSF	Y
.1800 Enforcement Analytical Method	158.355	452717-01	Y

Subgroup B: Series 830.6302 - 7950 (40 CFR 158.190)**Physical and Chemical Properties**

GUIDELINE REFERENCE NO. (GRN)/ TITLE 830	VALUE OR QUALITATIVE DESCRIPTION	MRID Number	Data Fulfilled
.6302 Color	Dark blue-green	473560-02	Y
.6303 Physical State	Liquid	473560-02	Y
.6304 Odor		473560-02	N/A
.6314 Oxidation/Reduction: Chemical Incompatibility	The product does not contain any oxidation or reduction agents.	473560-02	N/A
.6315 Flammability/Flame Extension	The product is water-based.	473560-02	N/A
.6316 Explodability	The Product is not potentially explosive.	473560-02	N/A
.6317 Storage Stability	MRID No. 466065-01 (see Finding #4)	473560-02	N, G
.6319 Miscibility	The product is not an emulsifiable concentrate.	473560-02	N/A
.6320 Corrosion Characteristics	MRID 466065-01 (see Finding #4)	473560-02	N, G

.6321 Dielectric Breakdown Voltage	Not to be used around electrical equipment	473560-02	N/A
.7000 pH	7.03	473560-02	Y
.7100 Viscosity	1.405	473560-02	Y
.7300 Density/Relative Density/ Bulk Density	Density: 1.0985 g/cm ³ (=9.18 lbs/gal)	473560-02	Y

Explanations: Y = Requirement fulfilled; N = Requirement not fulfilled; N/A = Not applicable; G = Data gap; U = Upgradable; I = Incomplete or in progress; W = Waived.

830-1800 Enforcement Analytical Method

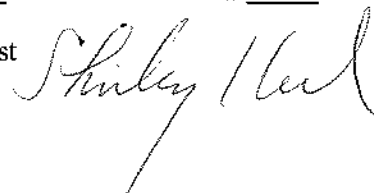
The copper, boron, and sodium contents in Genics CuB are determined by Inductively Coupled Plasma Atomic Emission Spectroscopy (ICPAES) (in MRID No. 452717-01). The operation conditions of ICP Spectrometer, Perkin-Elmer 3000 XL, are set as follows: RF power: 1375 W; Plasma flow: 15 L/min; Auxiliary gas flow: 0.5 L/min; Nebulizer gas flow: 0.75 L/min; Pump rate: 1.5 ml/min; Equilibration Time: 15 seconds; Gas: Argon, Nitrogen and compressed air. The reagents include deionized water, nitric acid, multi-element stock standard solutions and single element stock solutions.

The sample is acidified to pH<2 with HNO₃. The solution is diluted with distilled water to an appropriate level to quantify boron and copper by ICPAES. Samples are introduced to a nebulizer and the resulting aerosol is transported to the ICP by a stream of argon gas, where the sample elements are subjected to temperatures of about 6000 to 8000 K. The sample elements are dissolved, vaporized and ionized. The element specific emission generated by the ICP is measured using a polychromator to determine elemental concentrations of analytes. The boron concentration may be used to determine the boric acid equivalent and the copper content is determined directly as copper.

DATE OUT: 25/JAN/10

SUBJECT: PRODUCT CHEMISTRY REVIEW OF: TGAI []; MUP []; EUP [x]
BARCODE NO.: 373350 REG./FILE SYMBOL NO.: 71653-6
PRODUCT NAME: Genics CuB MRID NO.: 479403-01
COMPANY NAME: Genics Inc. ACTION CODE: 676

FROM: Shirley H. Keel, Environmental Protection Specialist
Product Chemistry Team
RMIB V/PRD (7508P)



TO: Bonnie Adler, CRM
Risk Management and Implementation Branch V
Pesticide Re-evaluation Division (7508P)

INTRODUCTION:

With this resubmission in response to our review dated 3/2/09, Barcode No. 358641, the registrant provided (1) a revised Confidential Statement of Formula (CSF) for the basic formulation, dated 11/10/09; (2) MRID No. 479403-01 with information pertaining to a two-year storage stability/corrosion characteristics study; and (3) a cover letter, dated 11/11/09. The registrant is requesting FIFRA Section 4 reregistration of Genics CuB, EPA Reg. No. 71653-6.

FINDINGS:

1. EPA Reg. No. 71653-6 is an end-use product that contains the active ingredients—Copper Hydroxide, Boric Acid and Disodium Octaborate Tetrahydrate—at label claim nominal concentrations of 0.96%, 0.51% and 9.1% respectively.
2. The CSF for the basic formulation has been revised as requested. All the typographical errors have been corrected. The concentrations of Copper Hydroxide (0.99%) and Boric Acid (0.89%) stated in the revised CSF (11/10/09) are inconsistent with the concentrations posted on the label, 0.96% and 0.51% respectively. The concentrations of the three active ingredients in the revised CSF (11/10/09)—0.99% Copper Hydroxide, 0.89% Boric Acid and 9.1% Disodium Octaborate Tetrahydrate—are different from the previous basic CSF (2/22/08)—0.96% Copper Hydroxide, 0.86% Boric Acid and 8.8% Disodium Octaborate Tetrahydrate—which are recorded in the Agency's database. The registrant needs to clarify these discrepancies.
3. MRID No. 479403-01 reports the results of a two-year room temperature storage stability/corrosion characteristics study. Guideline 830.6320 Corrosion Characteristics is satisfied. The reviewer noted that the concentrations of the active ingredients of the test substance reported in the SS/CC study—1.26% Copper Hydroxide and 16.41% Boric Acid equivalent—are not supported by the concentrations stated in the revised CSF (11/10/09)—0.99% Copper Hydroxide and 11.8% Boric Acid equivalent. The registrant needs to explain the discrepancies. The requirements of Guidelines 830.6317 Storage Stability have not been satisfied fully.

CONCLUSIONS:

Except for Findings #2 and #3, the registrant has satisfied the product chemistry data requirements for the reregistration of EPA Reg. No. 71653-6.

Product Chemistry Data**Subgroup B: Series 830.6302 - 7950 (40 CFR §158.310)****Physical and Chemical Properties**

Guideline Reference No. (GRN) / Title 830	Value OR Qualitative Description	MRID NO.	Data Fulfilled																								
.6317 Storage Stability	<p>Five distinct batches of Genics CuB were stored in high density polyethylene (HDPE) containers at room temperature for 24 month (from 11/18/2005 to 11/15/2007). Storage stability was determined by measuring the concentrations of the active ingredients, boron and copper, for each batch of test product. Concentrations of the active ingredients were determined at the beginning of the test period and after 3, 6, 12, 18 & 24 months. At each test interval, the materials were examined visually for physical changes. Sample containers were also observed for deterioration or discoloration. The results of test samples analyzed are presented in the following table.</p> <table><tr><th>Test Period</th><th>Boric Acid equivalent H₃BO₃ (Mean% w/v)</th><th>Copper Hydroxide equivalent Cu(OH)₂ (Mean % w/v)</th></tr><tr><td>Initial</td><td>16.30</td><td>1.23</td></tr><tr><td>3 Months</td><td>15.20</td><td>1.15</td></tr><tr><td>6 Months</td><td>17.09</td><td>1.30</td></tr><tr><td>12 Months</td><td>17.18</td><td>1.33</td></tr><tr><td>18 Months</td><td>17.37</td><td>1.29</td></tr><tr><td>24 Months</td><td>15.33</td><td>1.24</td></tr><tr><td>Mean</td><td>16.41</td><td>1.26</td></tr></table> <p>The test substance was found to retain its level of active ingredients after stored at ambient temperature for two years. No precipitation formation and no change in physical appearance of the test materials were observed.</p>	Test Period	Boric Acid equivalent H ₃ BO ₃ (Mean% w/v)	Copper Hydroxide equivalent Cu(OH) ₂ (Mean % w/v)	Initial	16.30	1.23	3 Months	15.20	1.15	6 Months	17.09	1.30	12 Months	17.18	1.33	18 Months	17.37	1.29	24 Months	15.33	1.24	Mean	16.41	1.26	479403-01	U (Please see Finding #3.)
Test Period	Boric Acid equivalent H ₃ BO ₃ (Mean% w/v)	Copper Hydroxide equivalent Cu(OH) ₂ (Mean % w/v)																									
Initial	16.30	1.23																									
3 Months	15.20	1.15																									
6 Months	17.09	1.30																									
12 Months	17.18	1.33																									
18 Months	17.37	1.29																									
24 Months	15.33	1.24																									
Mean	16.41	1.26																									
.6320 Corrosion Characteristics	During the storage period, HDPE container showed no signs of deterioration or color change.	479403-01	Y																								

Explanations: Y = Requirement fulfilled; U = Upgradable.



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

 United States Environmental Protection Agency Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number 71653-6		2. EPA Product Manager Adam Heyward	
4. Company/Product Name Genics Inc. / Genics CuB		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
5. Name and Address of Applicant (Include ZIP Code) Genics Inc. #561 Acheson Road, 53016 Hwy 60 Acheson, AB T7X5A7, Canada <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	
Section - II			
<input type="checkbox"/> Amendment - Explain below.		<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	
<input type="checkbox"/> Resubmission in response to Agency letter dated _____		<input type="checkbox"/> "Me Too" Application.	
<input type="checkbox"/> Notification - Explain below.		<input checked="" type="checkbox"/> Other - Explain below.	
Explanation: Use additional page(s) if necessary. (For section I and Section II.) Copper Compounds (Group II) data call-in response.			
Section - III			
1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 and 5 gallon pails	
5. Location of Label Directions <input type="checkbox"/>		6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____	
Section - IV			
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Zuhal Alkas		Title Registration Agent for Genics Inc.	
		Telephone No. (Include Area Code) (703) 821 0157	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			6. Date Application Received (Stamped)
2. Signature 		3. Title Registration Agent for Genics Inc.	
4. Typed Name Zuhal Alkas		5. Date 02/22/08	



United States
Environmental Protection Agency
Washington, DC 20460
Formulator's Exemption Statement
(40 CFR 152.85)

Applicant's Name and Address Genics Inc. 561 Acheson Road 53016 Hwy 60 Acheson, AB T7X5A7, Canada	EPA File Symbol/Registration Number 71653-6
	Product Name Genics CuB
	Date of Confidential Statement of Formula (EPA Form 8570-4) 07/21/2005

As an authorized representative of the applicant for registration of the product identified above, I certify that:

(1) This product contains the following active ingredient(s):

CobraCrush MDT [to provide: disodium octaborate (CAS# 12280-03-04), boric acid (CAS# 10043-35-3), copper hydroxide (CAS# 20427-59-2)]

(2) Of these, each active ingredient listed in paragraph (4) is present solely as the result of the use of that active ingredient in the manufacturing, formulation or repackaging another product which contains that active ingredient which is registered under FIFRA Section 3, is purchased by us from another person and meets the requirements of 40 CFR section 158.50(e)(2) or (3).

(3) Indicate by checking (A) or (B) below which paragraph applies:

☐ (A) An accurate Confidential Statement of Formula (EPA FORM 8570-4) for the above identified product is attached to this statement. That formula statement indicates, by company name, registration number, and product name, the source of the active ingredient(s) listed in paragraph (1).

OR

☒ (B) The Confidential Statement of Formula (CSF)(EPA Form 8570-4) referenced above and on file with the EPA is complete, current, an accurate and contains the information required on the current CSF.

(4) The following active ingredients in this product qualify for the formulator's exemption.

Source		
Active Ingredient	Product Name	Registration Number
CobraCrush MDT [to provide: disodium octaborate, boric acid, copper hydroxide]	CobraCrush MDT	71653-4
Signature 	Name and Title Zuhail Alkas, Registration Agent	Date 02/22/08

EPA Form 8570-27 (Rev. 06-2004)

Copy 1 - EPA
Copy 2 - Applicant copy



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
1200 Pennsylvania Avenue, N.W.
WASHINGTON, D.C. 20460

Paperwork Reduction Act Notice: The public reporting burden for this collection of information is estimated to average 1.25 hours per response for registration and 0.25 hours per response for reregistration and special review activities, including time for reviewing the instructions and completing the necessary forms. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to: Director, Collection Strategies Division (2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460. Do not send the completed form to this address.

Certification with Respect to Citation of Data

Applicant's/Registrant's Name, Address, and Telephone Number Genics Inc., 561 Acheson Road, 53016 Hwy 60, Acheson, AB Canada T7X5A7	EPA Registration Number/File Symbol 71653-6
Active ingredient(s) and/or representative test compound(s) disodium octabore, boric acid, copper hydroxide	Date 02/22/2008
General Use Pattern(s) (list all those claimed for this product using 40 CFR Part 158) Industrial - nonfood (fungicide / insecticide)	Product Name Genics CuB

NOTE: If your product is a 100% repackaging of another purchased EPA-registered product labeled for all the same uses on your label, you do not need to submit this form. You must submit the Formulator's Exemption Statement (EPA Form 8570-27).

☒ I am responding to a Data-Call-In Notice, and have included with this form a list of companies sent offers of compensation (the Data Matrix form should be used for this purpose).

SECTION I: METHOD OF DATA SUPPORT (Check one method only)

<input type="checkbox"/> I am using the cite-all method of support, and have included with this form a list of companies sent offers of compensation (the Data Matrix form should be used for this purpose).	<input checked="" type="checkbox"/> I am using the selective method of support (or cite-all option under the selective method), and have included with this form a completed list of data requirements (the Data Matrix form must be used).
--	---

SECTION II: GENERAL OFFER TO PAY

[Required if using the cite-all method or when using the cite-all option under the selective method to satisfy one or more data requirements]

☐ I hereby offer and agree to pay compensation, to other persons, with regard to the approval of this application, to the extent required by FIFRA.

SECTION III: CERTIFICATION

I certify that this application for registration, this form for reregistration, or this Data-Call-In response is supported by all data submitted or cited in the application for registration, the form for reregistration, or the Data-Call-In response. In addition, if the cite-all option or cite-all option under the selective method is indicated in Section I, this application is supported by all data in the Agency's files that (1) concern the properties or effects of this product or an identical or substantially similar product, or one or more of the ingredients in this product; and (2) is a type of data that would be required to be submitted under the data requirements in effect on the date of approval of this application if the application sought the initial registration of a product of identical or similar composition and uses.

I certify that for each exclusive use study cited in support of this registration or reregistration, that I am the original data submitter or that I have obtained the written permission of the original data submitter to cite that study.

I certify that for each study cited in support of this registration or reregistration that is not an exclusive use study, either: (a) I am the original data submitter; (b) I have obtained the permission of the original data submitter to use the study in support of this application; (c) all periods of eligibility for compensation have expired for the study; (d) the study is in the public literature; or (e) I have notified in writing the company that submitted the study and have offered (i) to pay compensation to the extent required by sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA; and (ii) to commence negotiations to determine the amount and terms of compensation, if any, to be paid for the use of the study.

I certify that in all instances where an offer of compensation is required, copies of all offers to pay compensation and evidence of their delivery in accordance with sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA are available and will be submitted to the Agency upon request. Should I fail to produce such evidence to the Agency upon request, I understand that the Agency may initiate action to deny, cancel or suspend the registration of my product in conformity with FIFRA.

I certify that the statements I have made on this form and all attachments to it are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Signature 	Date 02/22/2008	Typed or Printed Name and Title Zuhair alkas, Registration Agent for Genics Inc.
---------------	--------------------	---



SRS INTERNATIONAL CORPORATION
7700 Leesburg Pike • Suite 208 • Falls Church, VA 22043
Tel: (703) 821-3255 / Fax: (703) 821-3263
www.srsinternational.com / main@srsinternational.com

HAND DELIVERED

May 6, 2010

Bonnie Adler
Chemical Review Manager
Special Review & Reregistration Division

c/o Document Processing Desk
Office of Pesticide Programs
U. S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Subject: Copper Reregistration Eligibility Decision Document
Submission of *pro forma* CSF for Genics test article used for storage stability and
corrosion characteristics study previously submitted
Submission on behalf of Genics, Inc.
EPA Reg. No. 71653-6 CuB

Submission contains no data subject to PR86-5

Dear Ms. Adler:

Enclosed (in the envelope marked "CONFIDENTIAL STATEMENT OF FORMULA") please find our submission of a *pro forma* CSF for the test article used in the storage stability and corrosion characteristics study which was conducted and previously submitted in support of our client Genics' product CuB (EPA Reg. No. 71653-6). This is as per your e-mail request of April 29, 2010.

Please let us know any additional questions on this response.

Sincerely,

John A. Todhunter, Ph.D.
Registration Agent for Genics Inc.

RECEIVED
MAY 13 2010
U.S. ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF PESTICIDE PROGRAMS
WASHINGTON, D.C. 20460

01
MAY 13 2010

TRANSMITTAL DOCUMENT

NAME AND ADDRESS OF SUBMITTER:

Genics, Inc.
#561 Acheson Road, 53016 Hwy 60
Acheson, AB T7X 5A7
Canada

TRANSMITTAL DATE:

May 6, 2010

REGULATORY ACTION SUPPORTED BY THIS PACKAGE:

Response to Product Specific Data for Copper Reregistration Eligibility Decision Document (RED)
Agency e-Mail Dated April 29, 2010 re Confidential Statement of Formula for test article used in
conduct of Storage Stability and Corrosion Characteristics study in support of Registration Numbers:
71653-6

LIST OF SUBMITTED FORMS / INFORMATION:

This registration package includes:

- 1) Administrative materials:
 - Transmittal document
 - Cover Letter
- 2) [FIFRA CONFIDENTIAL MATERIAL]
Confidential Statement of Formula (*pro forma*) for Genics CuB test article used in
Storage Stability and Corrosion Characteristics study conducted by the Alberta Research
Council, study dated 11-29-2007 and previously submitted under a Transmittal
Document and cover letter dated November 11, 2009

This submission contains no data subject to PR86-5.

Please contact me at (202) 674 - 8099 for or todhunter@srsinternational.com (email) with
any questions regarding this submission package.

Sincerely,



John A. Todhunter, Ph.D.
Registration Agent for Genics, Inc.

TRANSMITTAL DOCUMENT

NAME AND ADDRESS OF SUBMITTER:

Genics, Inc.
#561 Acheson Road, 53016 Hwy 60
Acheson, AB T7X 5A7
Canada

TRANSMITTAL DATE:

May 6, 2010

REGULATORY ACTION SUPPORTED BY THIS PACKAGE:

Response to Product Specific Data for Copper Reregistration Eligibility Decision Document (RED)
Agency e-Mail Dated April 29, 2010 re Confidential Statement of Formula for test article used in
conduct of Storage Stability and Corrosion Characteristics study in support of Registration Numbers:
71653-6

LIST OF SUBMITTED FORMS / INFORMATION:

This registration package includes:

- 1) Administrative materials:
 - Transmittal document
 - Cover Letter
- 2) [FIFRA CONFIDENTIAL MATERIAL]
Confidential Statement of Formula (*pro forma*) for Genics CuB test article used in
Storage Stability and Corrosion Characteristics study conducted by the Alberta Research
Council, study dated 11-29-2007 and previously submitted under a Transmittal
Document and cover letter dated November 11, 2009

This submission contains no data subject to PR86-5.

Please contact me at (202) 674 - 8099 for or todhunter@srsinternational.com (email) with
any questions regarding this submission package.

Sincerely,





John A. Todhunter, Ph.D.
Registration Agent for Genics, Inc.



To: Bonnie Adler/DC/USEPA/US@EPA,
Cc: "Wes Wall" <wes.wall@genicsinc.com>, "Nancy Holland" <main@srsinternational.com>,
Bcc:
Subject: Re: 71653-6 Copper Product chemistry review
From: "John A. Todhunter" <todhunter@srsinternational.com> - Tuesday 05/04/2010 02:50 PM

History: This message has been replied to.

	John A. Todhunter	<i>Dear Bonnie, Attached please find a CSF for the test article pr</i>
	Bonnie Adler	<i>John, I KNOW I have told you I cannot get CSFs thru er</i>

Dear Bonnie,

Attached please find a CSF for the test article product which was used for the storage stability / corrosion characteristics study which Genics sponsored and which we submitted previously.

Please note that the test article in question is not an article of commerce in the U.S. (and perhaps in Canada for that matter) and, as such, the CSF does not refer to a specific new product for which Genics has or seeks U.S. EPA approval.

The relationship between this test article and Genucs CuB (71653-6) is that 30% more Cobra Crush MDT was used in formulating the test article (and correspondingly [REDACTED]) than is used for the production of Genics CuB. Cohbra Crush MDT is the active ingredient source for manufacturing of Genics CuB.

We do not see any scientifically defensible reason that the results for this test article would not also apply to Genics CuB. Borates are well known to be quite stable in aqueous solution. The copper in this product is in the +2 oxidation state already and oxidation should not be an issue and reduction is unlikely absent strong reducing agents. While copper salts can complex in organic solutions and produce amorphous precipitates this occurs more readily at higher copper concentrations than at lower concentrations. The test article would therefore be a "worst case" in this regard in relation to the CuB product itself.

Please let us know any additional questions. Hopefully the attached will put all of this to bed.

Regards,

John

At 09:08 AM 4/29/2010, Adler.Bonnie@epamail.epa.gov wrote:

John,

The review of the data to support Product chemistry for this product is not acceptable.

The discussion that the Basic CSF [and revised label] confirm the product. However, the explanation in your 3/4/10 email suggests an over-formulated product [1.26% Copper Hydroxide and 16.41% Boric Acid equivalent]. As such, it appears that the "over-formulated" product is not the subject product Genics CuB.

The Agency requests that you submit a copy of the basic CSF of the "over-formulated" product. The Agency will evaluate the validity of the SS/CC study reported in MRID No. 479403-01 and assess its applicability to the subject product, as well as the bridging request to the other Genics product.

The requirements of Guideline 830.6317 Storage Stability have not been met. Please refer to the review:

Bonnie

Re: Copper 71653 -6 ss & cc data review

John A. Todhunter

to:

Bonnie Adler

03/04/2010 03:47 PM

Cc:

"Wes Wall", "Nancy Holland"

Show Details

Dear Bonnie,

Here, finally, is our response to the question of the composition of the test article for the Stability and Corrosion Characteristics Study which was submitted for Genics.

In the study which was submitted the percentages of Boron (B) as Boric Acid equivalents and Copper (Cu) as Copper (II) Hydroxide equivalents is as follows at the stated time points -

Time 0	H3BO3 [16.30%]	/	Cu(OH)2 [1.23%]
3 Months	H3BO3 [15.20%]	/	Cu(OH)2 [1.15%]
6 Months	H3BO3 [17.09%]	/	Cu(OH)2 [1.30%]
12 Months	H3BO3 [17.18%]	/	Cu(OH)2 [1.33%]
18 Months	H3BO3 [17.37%]	/	Cu(OH)2 [1.29%]
21 Months	H3BO3 [15.33%]	/	Cu(OH)2 [1.24%]

The Agency's question appears to relate to the percentages reported in the study report as opposed to whether the active ingredients are the correct ones.

The active ingredients in 71653-6 (CuB) per the most recent CSF are:

label 9.1% Disodium Octaborate Tetrahydrate 9.10% (Nominal) / 9.55% (UCL) / 8.65% (UCL)
 ? 0.51% Boric Acid 0.89% (Nominal) / 0.98% (UCL) / 0.80% (LCL)
 ? 0.96% Copper (II) Hydroxide 0.99% (Nominal) / 1.09% (UCL) / 0.89% (LCL)

and these are the ingredients and percentages which appear in the ingredient statement of the most current label.

However, these amounts of active ingredients are less than what is reported from the storage stability / corrosion characteristics study which was submitted. Per the attached spreadsheet the nominal amounts of total boron and of copper (as boric acid and copper hydroxide equivalents, respectively) should be 11.8% and 0.99%. This is less than the ca. 15% - 17% range for total boron as boric acid and the 1.15% - 1.33% range reported for total copper in the study report which was submitted.

It would appear that the product which was tested in the submitted study was over-formulated 33% in total boron and 25% in copper. This appears to create the discrepancy the Agency reviewer noted.

We would argue, however, that the suggested over-formulation of the test article does not invalidate the storage stability / corrosion characteristics study which was conducted and that the submitted study should be accepted in support of the stability of 71653-6 (Genics' CuB). The test article was still an

aqueous solution of disodium octaborate tetrahydrate, boric acid, and copper hydroxide (plus inert [REDACTED] and [REDACTED]) and the over-formulation in question cannot reasonably be considered to have affected the stability of the test article compared to the commercial product which is currently registered.

We request that the Agency accept the submitted study in satisfaction of the data requirement for storage stability and corrosion characteristics.

Regards,

John

John Todhunter, Ph.D.
SRS International Corporation
7700 Leesburg Pike, Suite 208
Falls Church, VA 22043

202-674-8099

Agent for Genics, Inc.

>>At 11:46 AM 2/2/2010, you wrote:
>>>John,
>>>Seems that the data for 71653-6 is not acceptable, since the CSF
and
>>>label do not agree on the chemical composition of the materials
used
>>for
>>>the test. The product seems to not be the same one used for the
>study.
>>>Look over this review and get back to me ASAP as to the active
>>>ingredients for this product, study and label.
>>>Thank you,
>>>Bonnie
>>>
>>>
>>> (See attached file:
>>> 71653-6.pdf)
>>>



SRS INTERNATIONAL CORPORATION
7700 Leesburg Pike • Suite 208 • Falls Church, VA 22043
Tel: (703) 821-3255 / Fax: (703) 821-3263
www.srsinternational.com / main@srsinternational.com

HAND DELIVERED

November 11, 2009

Bonnie Adler
Chemical Review Manager
Special Review & Reregistration Division

c/o Document Processing Desk
Office of Pesticide Programs
U. S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Subject: Copper Reregistration Eligibility Decision Document
Product Specific Data in Response to Agency letter May 13, 2009
Submission on behalf of Genics, Inc.
EPA Reg. No. 71653-2 Cobra Rod
EPA Reg. No. 71653-4 Cobra Crush MDT
EPA Reg. No. 71653-6 CuB
EPA Reg. No. 71653-7 Gel Wrap

Dear Ms. Adler:

Attached please find the following data for the above listed Genics products which are being submitted in response to the Agency's letter dated May 13, 2009 requesting these data.

Data Volume 1: CONFIDENTIAL: Updated and Corrected CSFs for EPA Registration Numbers 71653-2, 71653-4, 71653-6 and 71653-7

Data Volume 2: Assessment of Storage Stability of Genics CuB (study prepared by Alberta Research Council, 2007)

Please note that we will shortly be submitting a rationale for bridging Registration Numbers 71653-2, 71653-4 and 71653-7 to the study which was conducted on 71653-6 (a two year study) which is included in this present submission.

Please let us know any additional questions on this response.

Sincerely,

John A. Todhunter, Ph.D.
Registration Agent for Genics Inc.

TRANSMITTAL DOCUMENT

NAME AND ADDRESS OF SUBMITTER:

Genics, Inc.
#561 Acheson Road, 53016 Hwy 60
Acheson, AB T7X 5A7
Canada

TRANSMITTAL DATE:

November 11, 2009

REGULATORY ACTION SUPPORTED BY THIS PACKAGE:

Response to Product Specific Data for Copper Reregistration Eligibility Decision Document (RED)
Agency Letter Dated May 13, 2009 re Product Chemistry for
Registration Numbers: 71653-2, 71653-4, 71653-6 and 71653-7

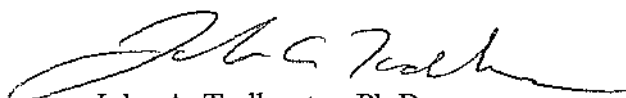
LIST OF SUBMITTED FORMS / INFORMATION:

This registration package includes:

- 1) Administrative materials:
 - Transmittal document
 - Cover letter
- 2) Data Volume 1: CONFIDENTIAL: Updated and Corrected CSFs for EPA Registration Numbers 71653-2, 71653-4, 71653-6 and 71653-7
- Reject (01)** 3) Data Volume 2: Assessment of Storage Stability of Genics CuB (study prepared by Alberta Research Council, 2007)

Please contact me at (202) 674 - 8099 for or todhunter@srsinternational.com (email) with any questions regarding this submission package.

Sincerely,



John A. Todhunter, Ph.D.
Registration Agent for Genics, Inc.



SRS INTERNATIONAL CORPORATION
7700 Leesburg Pike • Suite 208 • Falls Church, VA 22043
Tel: (703) 821-3255 / Fax: (703) 821-3263
www.srsinternational.com / main@srsinternational.com

HAND DELIVERED

November 11, 2009

Bonnie Adler
Chemical Review Manager
Special Review & Reregistration Division

c/o Document Processing Desk
Office of Pesticide Programs
U. S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Subject: Copper Reregistration Eligibility Decision Document
Product Specific Data in Response to Agency letter May 13, 2009
Submission on behalf of Genics, Inc.
EPA Reg. No. 71653-2 Cobra Rod
EPA Reg. No. 71653-4 Cobra Crush MDT
EPA Reg. No. 71653-6 CuB
EPA Reg. No. 71653-7 Gel Wrap

Dear Ms. Adler:

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Data Volume 2: Assessment of Storage Stability of Genics CuB (study prepared by Alberta Research Council, 2007)

Please note that we will shortly be submitting a rationale for bridging Registration Numbers 71653-2, 71653-4 and 71653-7 to the study which was conducted on 71653-6 (a two year study) which is included in this present submission.

Please let us know any additional questions on this response.

Sincerely,

John A. Todhunter, Ph.D.
Registration Agent for Genics Inc.

TRANSMITTAL DOCUMENT

NAME AND ADDRESS OF SUBMITTER:

Genics, Inc.
#561 Acheson Road, 53016 Hwy 60
Acheson, AB T7X 5A7
Canada

TRANSMITTAL DATE:

November 11, 2009

REGULATORY ACTION SUPPORTED BY THIS PACKAGE:

Response to Product Specific Data for Copper Reregistration Eligibility Decision Document (RED)
Agency Letter Dated May 13, 2009 re Product Chemistry for
Registration Numbers: 71653-2, 71653-4, 71653-6 and 71653-7

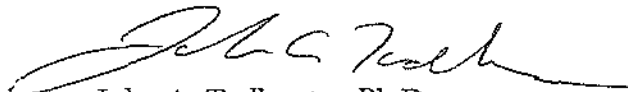
LIST OF SUBMITTED FORMS / INFORMATION:

This registration package includes:

- 1) Administrative materials:
 - Transmittal document
 - Cover letter
- 2) Data Volume 1: CONFIDENTIAL: Updated and Corrected CSFs for EPA Registration Numbers 71653-2, 71653-4, 71653-6 and 71653-7
- 47940301 3) Data Volume 2: Assessment of Storage Stability of Genics CuB (study prepared by Alberta Research Council, 2007)

Please contact me at (202) 674 - 8099 for or todhunter@srsinternational.com (email) with any questions regarding this submission package.

Sincerely,



John A. Todhunter, Ph.D.
Registration Agent for Genics, Inc.

MAY 27 2009

CERTIFIED MAIL

John Todhunter, PhD., Registration Agent for Genics Inc.
SRS International Corporation
7700 Leesburg Pike, Suite 208
Falls Church, VA 22043

Subject: Acute Toxicity Data Reviews for the Copper Reregistration Eligibility
Decision Document (RED), July 11, 2006
EPA Registration Numbers: 71653-2, 71653-4, 71653-6 and 71653 -7

Dear Dr. Todhunter:

The Agency has reviewed the acute toxicity data you cited or submitted for the Copper RED. All data for acute toxicity were either waived, considered acceptable or if they were not acceptable had enough information that new data were not required.

Copies of the reviews are enclosed. If you have any questions, please contact Bonnie Adler at 703-308-8523.

Sincerely,

Patricia L. Moe, Chief
Product Reregistration Branch
Special Review and
Reregistration Division

Enclosure

CONCURRENCES

SYMBOL	< 75082	75081						
SURNAME	< Adler	Penn						
DATE	< 5/21/09	5-26-09						

EPA Form 1320-1A (1/90)

Printed on recycled paper

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U.S. GOVERNMENT PRINTING OFFICE: 1992 - 620-852/4067



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 13 2009

OFFICE OF
PREVENTION, PESTICIDES

CERTIFIED MAIL

John Todhunter, PhD., Registration Agent for Genics Inc.
SRS International Corporation
7700 Leesburg Pike, Suite 208
Falls Church, VA 22043

Subject: Product Chemistry Reviews for the Copper Reregistration Eligibility
Decision Document (RED), July 11, 2006
EPA Registration Numbers: 71653-2, 71653-4, 71653-6 and 71653 -7

Dear Dr. Todhunter:

The Agency has reviewed the product chemistry data you submitted for the Copper RED. The product chemistry guideline studies submitted for the subject products were acceptable; however no data were provided for storage stability and corrosion characteristics (guidelines 830.6317 and 830.6320). These data are required and must be submitted by August 30, 2010. In addition, the Basic Confidential Statements of Formula (CSF) contain numerous typographical errors. Revised CSFs must be submitted. Please refer to the reviews for more details.

You must submit the revised CSFs for the above products to the Agency with 30 days from receipt of this letter. Data for storage stability and corrosion are due by August 30, 2010. Copies of the reviews are enclosed. If you have any questions, please contact Bonnie Adler at 703-308-8523.

Sincerely,

Patricia L Moe

Patricia L. Moe, Chief
Product Reregistration Branch
Special Review and
Reregistration Division

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 22 2008

OFFICE OF
PREVENTION, PESTICIDES

CERTIFIED MAIL 7000 1670 0012 8260 2493

Zukal Alkas, Registration Agent for Genics Inc.
SRS International Corporation
7700 Leesburg Pike, Suite 208
Falls Church, VA 22043

Subject: Incomplete PDCI Response for Copper Reregistration Eligibility Document
(RED), December 23, 2007
EPA Registration Numbers: 71653-6 and 71653 -7

Dear Ms. Alkas:

The Agency has not received the 8-month response for both EPA Registration Numbers 71653-6 and 71653-7. Your 90-day response provided new data for product chemistry which were sent for review. However, we cannot conduct the acute toxicity reviews until data are submitted or citations are provided in data matrices.

You are required to submit the above items within **30 days** from receipt of this letter. If you have any questions, please contact Bonnie Adler of my staff at 703-308-8523.

Sincerely,

Patricia L. Moe, Chief
Product Reregistration Branch
Special Review and
Reregistration Division

CONCURRENCES							
SYMBOL	<	75081	95D8P				
SURNAME	<	adler	Moe				
DATE	<	12/17/08	12/22/08				

EPA Form 1320-1A (1/90)

Printed on recycled paper

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U.S. GOVERNMENT PRINTING OFFICE: 1992 - 520-556/4067

United States Environmental Protection
Agency Washington, D.C. 20460

OMB Approval 2070-0107
OMB Approval 2070-0057

REQUIREMENTS STATUS AND REGISTRANT'S RESPONSE

INSTRUCTIONS: Please type or print in ink. Please read carefully the attached instructions and supply the information requested on this form.
Use additional sheet(s) if necessary.

1. Company Name and Address GENICS INC. 7700 LEESBURG PIKE, SUITE 208 FALLS CHURCH, VA 22043		2. Case # and Name 0649 Copper Compounds: Grp II EPA Reg. No. 71653-6			3. Date and Type of DCI and Number 13-Dec-2007 PRODUCT SPECIFIC ID # PDCI-023401-26796				
4. Guideline Requirement Number	5. Study Title	P R O T O C O L	Progress Reports			6. Use Pattern	7. Test Substance	8. Time Frame (Months)	9. Registrant Response
			1	2	3				
	Product Chemistry Data Requirements (Conventional Chemical)								
830.1550	Product Identity and composition (10)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI/MP/EP	8	1
830.1600	Description of materials used to produce the product (11)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI/MP/EP	8	1
830.1620	Description of production process (12)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI	8	7
830.1650	Description of formulation process (13)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	MP/EP	8	1
830.1670	Discussion of formation of impurities (14)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI/MP/EP	8	1
830.1700	Preliminary analysis (15, 16, 17)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI	8	7
830.1750	Certified limits (18, 19)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI/MP/EP	8	1
830.1800	Enforcement analytical method (20)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI/MP/EP	8	1
830.6302	Color (21)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI/MP/EP	8	1
830.6303	Physical state (22)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI/MP/EP	8	1
830.6304	Odor (23)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI/MP/EP	8	1
10. Certification I certify that the statements made on this form and all attachments are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine, imprisonment or both under applicable law. Signature and Title of Company's Authorized Representative <i>[Signature]</i> Agent for Genics Inc							11. Date 02.22.08		
12. Name of Company Genics Inc							13. Phone Number 703 821 3255		

United States Environmental Protection
Agency Washington, D.C. 20460

OMB Approval 207(I-0107
OMB Approval 2070-0057

REQUIREMENTS STATUS AND REGISTRANT'S RESPONSE

INSTRUCTIONS: Please type or print in ink. Please read carefully the attached instructions and supply the information requested on this form.
Use additional sheet(s) if necessary.

1. Company Name and Address GENICS INC. 7700 LEESBURG PIKE,SUITE 208 FALLS CHURCH, VA 22043		2. Case # and Name 0649 Copper Compounds: Grp II EPA Reg. No. 71653-6			3. Date and Type of DCI and Number 13-Dec-2007 PRODUCT SPECIFIC ID # PDCI-023401-26796				
4. Guideline Requirement Number	5. Study Title	P R O T O C O L	Progress Reports			6. Use Pattern	7. Test Substance	8. Time Frame (Months)	9. Registrant Response
			1	2	3				
830.6313	Stability to sunlight, normal and elevated temperatures, metals, and metal ions (24,25)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGA/	8	7
830.6314	Oxidizing or reducing action (26)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	MP/EP	8	7
830.6315	Flammability (27)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	MP/EP	8	7
830.6316	Explosibility (28)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	MP/EP	8	7
830.6317	Storage stability of product (29)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	MP/EP	8	1
830.6319	Miscibility (30)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	MP/EP	8	7
830.6320	Corrosion characteristics (31)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	MP/EP	8	1
830.6321	Dielectric breakdown voltage (32)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	MP/EP	8	7
830.7000	pH of water solutions or suspensions (33,34)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGA/MP/EP	8	7
830.7050	UV/Visible absorption					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGA/PAI	8	7
830.7100	Viscosity (35)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	MP/EP	8	7
830.7200	Melting point/melting range (36,37)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGA/	8	7
Initial to indicate certification as to information on this page (full text of certification is on page one). <i>EA</i>							Date <i>02.22.08</i>	54	

United States Environmental Protection
Agency Washington, D.C. 20460

OMB Approval 2070-0107
OMB Approval 2070-0057

REQUIREMENTS STATUS AND REGISTRANT'S RESPONSE

INSTRUCTIONS: Please type or print in ink. Please read carefully the attached instructions and supply the information requested on this form.
Use additional sheet(s) if necessary.

1. Company Name and Address GENICS INC. 7700 LEESBURG PIKE,SUITE 208 FALLS CHURCH, VA 22043		2. Case # and Name 0649 Copper Compounds: Grp II EPA Reg. No. 71653-6			3. Date and Type of DCI and Number 13-Dec-2007 PRODUCT SPECIFIC ID # PDCI-023401-26796				
4. Guideline Requirement number	5. Study Title	P R O T O C O L	Progress Reports			6. Use Pattern	7. Test Substance	8. Time Frame (Months)	9. Registrant Response
			1	2	3				
830.7220	Boiling point/boiling range (38,39)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI	8	7
830.7300	Density/relative density (40,41)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI/MP/EP	8	1
Toxicology Data Requirements (Conventional Chemical)									
870.1100	Acute Oral Toxicity (1)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI,EP,dilute EP?	8	6
870.1200	Acute dermal toxicity (2,3)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI,EP,dilute EP?	8	6
870.1300	Acute inhalation toxicity (4)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI & EP	8	7
870.2400	Acute eye irritation (5)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI & EP	8	6
870.2500	Acute dermal irritation (6,7)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI & EP	8	6
870.2600	Skin sensitization (8,9)					A, B, C, D, E, F, G, H, I, J, K, L, M, N, O	TGAI & EP	8	6
Initial to indicate certification as to information on this page (full text of certification is on page one).							Date	02.22.08	55

EA

ASSIGNMENT FORM
Antimicrobial Division/Regulatory Management Branch II

PRODUCT REVIEWER: Renae Whitaker					RMB II TEAM 34		
Description of Action:					EPA File Symbol/Reg No. 71653-6		
Decision No. 302		Submission No.		Fee for Service Action Code:			
FQPA Action Code:		Non-FQPA Action Code:		PRIA FEE AMOUNT:			
		DAY	MONTH	YEAR			
APPLICATION DATE		14	MARCH	2008			
EPA PIN DATE		20	MARCH	2008			
DATE RISK MANAGER RECEIVED FROM FRONT END		31	APRIL	2008			
PRIA DUE DATE							
EXPECTED DATE FROM CTT				2008			
PM DUE DATE							
Type of Data:	REGISTRATION DIVISION/ EFFICACY XXXX	PSB Acute Toxicolog y	PSB Efficacy	RASSB Environmenta l Fate	RASSB Ecological Effects	RASSB Chronic Toxicology	RASSB Exposure /Residue
Comments: Please sub-BEAN this submission to Mark Suarez; Registration Division.							
ATTACHMENTS: €-LABELING €-CSF(S) €-DATA €-OTHERS							
B	For Arctic Slope Contract Only						
	Contract No.: 0052		ARCTIC SLOPE/MANAGER				
	Final Task: Signature _____ (Total hrs)						
C	Reviewer Comments:						
DATE FEE PAID:				RESPONSE CODE:		RESPONSE DATE:	

DATA PACKAGE BEAN SHEET

Date: 07-Apr-2008

Page 1 of 2

Decision #: 391874

DP #: (351237)

NON PRIA

Parent DP #:

Submission #: 827191

*** Registration Information ***

Registration: 71653-6 - GENICS CUB

Company: 71653 - GENICS INC.

Risk Manager: RM 34 - Adam Heyward - (703) 308-6422 Room# PY1 S-8238

Risk Manager Reviewer: Renae Whitaker RWHITAKE

Sent Date: 03-Apr-2008

Calculated Due Date: 19-Jun-2008

Edited Due Date: _____

Type of Registration: Product Registration - Section 3

Action Desc: (302) LABEL REVISION;NO DATA REQUIRED;

Ingredients: See page 2

**COPY FOR YOUR
INFORMATION**

*** Data Package Information ***

Expedite: ☐ Yes ☒ No

Date Sent: 07-Apr-2008

Due Back: _____

DP Ingredient: See page 2

DP Title: _____

CSF Included: ☐ Yes ☒ No

Label Included: ☐ Yes ☒ No

Parent DP #: _____

Assigned To

Date In

Date Out

Organization: RD / IB

Last Possible Science Due Date: 05-May-2008

Team Name: _____

Science Due Date: _____

Reviewer Name: _____

Sub Data Package Due Date: _____

Contractor Name: _____

*** Studies Sent for Review ***

No Studies

*** Additional Data Package for this Decision ***

No Additional Data Packages

*** Data Package Instructions ***

Attention Meredith Laws/ Mark Suarez: Attached for review is a response to your efficacy review of the submission for Genics CuB, as a wood treatment for control of termites and other wood destroying insects.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

June 19, 2008

John A. Todhunter, Ph.D.
SRS International Corporation, Agent for
Genics, Inc
7700 Leesburg Pike, Suite 208
Falls Church, VA 22043

Subject: Rebuttal to Termite Claims
Product Name: Genics CuB
EPA Reg. Number: 71653-6
Application Dated: March 14, 2008
Receipt Date: March 20, 2008

Dear Dr. Todhunter:

The Agency has completed its review of a rebuttal to a previous efficacy review (dated 20 Nov 2007) for Genics CuB [EPA Reg. No. 71653-6]. In that review, it was determined that the "data and review papers provided in the submission fail to adequately support the addition of claims that the product may be used as a termiticide." Thus, claims of structural protection were denied.

Based on the Agency review of the subject rebuttal, the following comments apply:

I. Original submission rationale:

Genics, Inc. states that in the absence of US EPA published guideline test protocols for structural protection to be achieved through the treatment of wood with borates (or other non-soil applied liquid or bait formulations), AWWA testing protocols were followed.

EPA Response:

Although the test protocols developed by the AWWA may be scientifically valid and accepted within industry as standards, they are not inherently applicable to the regulatory determinations made by the EPA. The same applies to standards developed by the ICC, ASTM, CWPA, CEN, AFPA, etc... The Agency reserves the right to consider data generated through these methods in support of product registrations, but is under no obligation to do so. In the absence of adequate guidance, the prudent course of action is to contact the Agency for guidance. This is particularly the case when a registrant lacks experience registering products with the Agency.

II. Effectiveness of Boric Acid/DOT against termites:

Genics, Inc. provides the argument that borates can be considered without regard to formulation, if the level of BAE is the same across treatment types. The primary foundation of this argument was that industry standards that do not identify specific borates, but rather the percentage of BAE found in treated wood.

EPA Response:

While the standards cited provide industry minimum standards, they do not provide a regulatory basis for an Agency decision. Furthermore, the Agency policy is to have been and remains to rely upon data for specific, or substantially similar, formulations in order to support products that are intended to be used for structural protection. The Agency has maintained a long-standing minimum level of demonstrated product performance of 5 years for products that are labeled for structural protection.

III. Genics CuB is substantially similar to Cobra Crush MDT:

EPA Response:

Although the Cobra Crush and Genics CuB product may be similar (no determination of similarity is confirmed within this review), the label claims desired in the amendment extend far beyond those present on the Cobra Crush MDT label. Cobra Crush is not label for structural protection. It is labeled as a wood preservative. The data cited in support of Genics CuB fully support wood preservative claims.

BAE level drives efficaciousness, not the borate or delivery vehicle:

As discussed in (2) above, the Agency regulates the various borates as distinct active ingredients, as evidenced by the different PC codes assigned to them. The position of organizations that maintain industry minimum standards is tangential.

IV. Structural protection claim and US Borax data:

US Borax have no data on file with the Agency that have been found to support structural protection claims. The data on file for EPA Reg. No. 64405-8 are the property of Nisus Corp. Timbor Professional is EPA Reg. No. 1624-129. The US Borax data cited do not support structural protection claims or uses on the products that they were originally submitted to support.

EPA Conclusion/Recommendations:

The data are deficient because they fail to directly test the hypothesis that the product provides 5 years of protection from termites when applied in accordance with the directions for use.

Label Comments:

1. The following claim must be modified as indicated below.

Original

“For the preservation and protection of wood, wood composites, or any weatherable product susceptible to fungal decay, mold, termite or insect attack” must be revised to read:

“For the preservation and protection of wood or wood composites susceptible to fungal decay, mold, termite or insect attack...”

2. Remove the following language. It is not appropriate for this product. These directions for use indicate that the product provides structural protection. The database does not support structural protection claims for this formulation.

a). Under "General Information":

In new construction applications for the prevention of subterranean termites, structural wood is defined as: only wood needed for the basic building structure as found in the dried-in stage of construction, including wood in direct contact with foundations, interior and exterior wall sill plates, wood studs, wood or cellulosic sheathing, floor joists and sub-flooring. For new construction, this product may be considered a stand-alone (primary) treatment for protection against subterranean termites (including Formosan termite), in states requiring a preconstruction treatment. This product may also be used in conjunction with other termite control tactics to provide additional protection.

b). New Construction Treatment: For protection of wood against subterranean termites, apply Genics CuB at the ‘dried-in’ stage of construction, when structural wood is most accessible. This application would usually occur after walls are in place but not covered with drywall, and before installation of electrical wiring or placement of insulation. Apply one coat of Genics CuB thoroughly to structural wood, including sill plates, piers, subfloors, studs or any other structural wood component. Use no less than 1 gallon of product per 400 square feet (1 liter per 10 square meters) of treated wood. For slab construction, apply a continuous band to base plate and walls to a minimum height of 0.6 meters (2 feet) from the slab. For other types of construction, apply a two-foot (0.6 m) band around all cellulosic materials in crawl spaces and basements. In cases where access to structural wood is limited to two or less sides, two coats should be applied 20 minutes apart.

3. Add the following disclaimer to the label to clarify the appropriate use pattern:

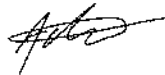
"Genics CuB is not intended as a substitute for mechanical alteration, soil treatment or foundation treatment. Genics CuB is not intended for application to soil. In areas where a soil treatment/barrier termiticide treatment is required, Genics CuB may be applied as a supplemental pretreatment to protect wood from subterranean termites that may penetrate chemical gaps occurring in termiticide-treated soil. Genics CuB is not a soil termiticide. Do not use to treat soil directly. When active infestations exist, get a professional inspection."

Other Comments:

Note that although the subject product was registered by the EPA Antimicrobials Division based upon the antimicrobial claims on the label, all future amendment applications/claims relating to insect control/kill must be sent to Registration Division for review. For detailed information and considerations, please refer to the enclosed Registration Division Efficacy review dated June 19, 2008.

Should you have any questions concerning this letter, please contact me by telephone at (703) 308-6422 or email address at: heyward.adam@epa.gov, or Renae Whitaker telephone at (703) 308-7003 or email address at: whitaker.renae@epa.gov during the hours of 8:00 am to 3:30 pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

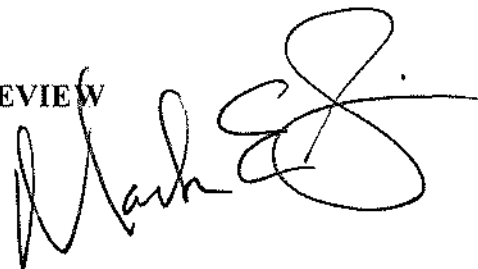


Adam Heyward
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

Enclosure: [RD Efficacy review]

PRODUCT PERFORMANCE / EFFICACY REVIEW

Mark Suarez, Entomologist - IB



DATE: 19 June 2008

EPA REG. NUMBER: 71653-6
PRODUCT NAME: Genics CuB
REGISTRANT: Genics Inc.

PM: Adam Hayward, RM 34
REVIEWER: Renae Whittaker

DECISION #: 391874
DP BARCODE: 351237
ACTION: 302

ACTIVE INGREDIENT(S):

011103, Boron Sodium Oxide, tetrahydrate.....	9.1%
011101, Boric Acid.....	0.51%
023401, Copper Hydroxide.....	0.96%

TYPE: Wood Composite Additive
OPPTS GUIDELINE(S): 810.3600, as applicable

MRID:	47105701	Cited	GLP? No.
	47105707	"	GLP? No.
	47105708	"	GLP? No.
	47105709	"	GLP? No.
	47105710	"	GLP? No.
	47105711	"	GLP? No.
	47105712	"	GLP? No.
	47105713	"	GLP? No.
	47105714	"	GLP? No.
	47105715	"	GLP? No.
	47105716	"	GLP? No.
	47105717	"	GLP? No.
	47105718	"	GLP? No.
	47105719	"	GLP? No.
	47105720	"	GLP? No.
	47105721	"	GLP? No.
	47105722	"	GLP? No.
	47105724	"	GLP? No.
	47105726	"	GLP? No.
	47139703	"	GLP? No.
	47139704	"	GLP? No.
	47139705	"	GLP? No.
	47139706	"	GLP? No.

47139707	“	GLP? No.
47148701	“	GLP? No.
47148702	“	GLP? No.

SITES & PESTS

Indoors/Outdoors:	Termites &
Wood & Wood	other Wood
Composites	Destroying
	Insects

LABEL APPLICATION RATE:

ENTOMOLOGIST'S COMMENTS AND RECOMMENDATIONS:

The registrant submitted a rebuttal to a previous efficacy review (dated 20 Nov 2007) for Genic CuB [EPA Reg. No. 71653-4]. In that review, it was determined that the “data and review papers provided in the submission fail to adequately support the addition of claims that the product may be used as a termiticide.” Thus, claims of structural protection were denied.

The rebuttal can be divided into 6 sections. Those sections are (1) a rationale for the original submission, (2) an argument that Boric Acid/DOT is effective against termites, (3) Genics CuB is substantially similar to CobraCruch MDT, (4) BAE level drive efficaciousness, not the borate or delivery vehicle, (5) US Borax has provided data that should be considered in support of a structural protection claim, and (6) the relevance of previously submitted MRIDs. Each of these points is considered below.

(1) Original submission rationale

Genics, Inc. states that in the absence of US EPA published guideline test protocols for structural protection to be achieved through the treatment of wood with borates (or other non-soil applied liquid or bait formulations), AWPAs testing protocols were followed.

Although the test protocols developed by the AWPAs may be scientifically valid and accepted within industry as standards, they are not inherently applicable to the regulatory determinations made by the EPA. The same applies to standards developed by the ICC, ASTM, CWPA, CEN, AFPA, etc... The Agency reserves the right to consider data generated through these methods in support of product registrations, but is under no obligation to do so. In the absence of adequate guidance, the prudent course of action is to contact the Agency for guidance. This is particularly the case when a registrant lacks experience registering products with the Agency.

(2) Effectiveness of Boric Acid/DOT against termites

The registrant provides the argument that borates can be considered without regard to formulation, if the level of BAE are the same across treatment types. The primary foundation of this argument was that industry standards that do not identify specific borates, but rather the percentage of BAE found in treated wood.

While the standards cited provide industry minimum standards, they do not provide a regulatory basis for an Agency decision. Furthermore, the Agency policy is to

has been and remains to rely upon data for specific, or substantially similar, formulations in order to support products that are intended to be used for structural protection. The Agency has maintained a long-standing minimum level of demonstrated product performance of 5 years for products that are labeled for structural protection.

- (3) Genics CuB is substantially similar to CobraCrush MDT
Although the CobraCrush and Genics CuB product may be similar (no determination of similarity is confirmed within this review), the label claims desired in the amendment extend far beyond those present on the CobraCrush MDT label. CobraCrush is not label for structural protection. It is labeled as a wood preservative. The data cited in support of Genics CuB fully support wood preservative claims.
- (4) BAE level drives efficaciousness, not the borate or delivery vehicle
As discussed in (2) above, the Agency regulates the various borates as distinct active ingredients, as evidenced by the different PC codes assigned to them. The position of organizations that maintain industry minimum standards is tangential.
- (5) Structural protection claim and US Borax data
US Borax have no data on file with the Agency that have been found to support structural protection claims. The data on file for EPA Reg. No. 64405-8 are the property of Nisus Corp. Timbor Professional is EPA Reg. No. 1624-129. The US Borax data cited do not support structural protection claims or uses on the products that they were originally submitted to support.
- (6) Relevance of previously submitted MRIDs

The effort expended to explain and frame the information provided in the previously submitted MRIDs is commendable. The argument is well organized and well thought out. The data are never-the-less deficient because they fail to directly test the hypothesis that the product provides 5 years of protection from termites when applied in accordance with the directions for use.

Label Comments:

There are a number of issues with the label.

1. The following claim is generally acceptable, but as a matter of product stewardship should be modified as indicated below. ("Any weatherable product" appears on other labels, but is a vague reference that does not act to inform the user.)

original

For the preservation and protection of wood, wood composites, or any weatherable product susceptible to fungal decay, mold, termite or insect attack.

modified

For the preservation and protection of wood or wood composites susceptible to fungal decay, mold, termite or insect attack.

2. Remove the following language. It is not appropriate for this product. These directions for use indicate that the product provides structural protection. The database does not support structural protection claims for this formulation.

a.

Under "General Information":

In new construction applications for the prevention of subterranean termites, structural wood is defined as: only wood needed for the basic building structure as found in the dried-in stage of construction, including wood in direct contact with foundations, interior and exterior wall sill plates, wood studs, wood or cellulosic sheathing, floor joists and sub-flooring. For new construction, this product may be considered a stand-alone (primary) treatment for protection against subterranean termites (including Formosan termite), in states requiring a preconstruction treatment. This product may also be used in conjunction with other termite control tactics to provide additional protection.

b.

New Construction Treatment: For protection of wood against subterranean termites, apply Genics CuB at the 'dried-in' stage of construction, when structural wood is most accessible. This application would usually occur after walls are in place but not covered with drywall, and before installation of electrical wiring or placement of insulation. Apply one coat of Genics CuB thoroughly to structural wood, including sill plates, piers, subfloors, studs or any other structural wood component. Use no less than 1 gallon of product per 400 square feet (1 liter per 10 square meters) of treated wood. For slab construction, apply a continuous band to base plate and walls to a minimum height of 0.6 meters (2 feet) from the slab. For other types of construction, apply a two-foot (0.6 m) band around all cellulosic materials in crawl spaces and basements. In cases where access to structural wood is limited to two or less sides, two coats should be applied 20 minutes apart.

3. Add the following disclaimer to the label to clarify the appropriate use pattern:

"Genics CuB is not intended as a substitute for mechanical alteration, soil treatment or foundation treatment. Genics CuB is not intended for application to soil. In areas where a soil treatment/barrier termiticide treatment is required, Genics CuB may be applied as a supplemental pretreatment to protect wood from subterranean termites that may penetrate chemical gaps occurring in termiticide-treated soil.

Genics CuB is not a soil termiticide. Do not use to treat soil directly. When active infestations exist, get a professional inspection."

Enclosure
071653-00006 S807694-ER

GENICS INC.

Genics CuB

For the preservation and protection of wood, wood composites, or any weatherable product susceptible to fungal decay, mold, termite or insect attack.

For Interior and Exterior Use

READY TO USE; NO DILUTION REQUIRED

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

If in Eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first five minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

If on Skin or Clothing: Take off contaminated clothing. Rinse skin immediately for 15-20 minutes. Call poison control center or doctor for treatment advice.

If Inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

If Swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

ACTIVE INGREDIENTS:

Disodium Octaborate	9.1%
Boric Acid	0.51%
Copper Hydroxide	0.96%
Inerts	89.4%
TOTAL:	100 %

PRODUCT PROVIDES IN XX BORIC ACID EQUIVALENTS

EPA Reg. No. 71653-6

US EPA Est. 71653-CAN-01

Net Contents : x Gallons

Genics Inc.

#561 Acheson Rd. 53016 Hwy 60

Acheson, AB T7X 5A7

(780) 962-1000 FAX: (780) 962-1052

1-877-9-GENICS

**It is a violation of Federal Law to use this product
in a manner inconsistent with its labeling.**

READ THE ENTIRE LABEL BEFORE USE.

PRECAUTIONARY STATEMENTS

May be harmful if swallowed. Avoid contact with eyes and skin. May cause eye irritation. Avoid rubbing eyes while working with product. Wash hands thoroughly with soap and water after handling and before eating, drinking or smoking. Store and wash all protective clothing separately from household laundry. Personal protective clothing, normal work clothes (i.e. long pants, shoes, a long sleeved shirt) plus waterproof gloves for all users of product. Do not leave container where children or animals may gain access.

GENERAL INFORMATION

When spraying overhead interior areas of homes, apartment buildings, etc., cover or protect all surfaces below the area being sprayed with plastic sheeting material that can be disposed of if contamination from dripping occurs. Do not apply in food serving areas while food is exposed.

In new construction applications for the prevention of subterranean termites, structural wood is defined as: only wood needed for the basic building structure as found in the dried-in stage of construction, including wood in direct contact with foundations, interior and exterior wall sill plates, wood studs, wood or cellulosic sheathing, floor joists and sub-flooring. For new construction, this product may be considered a stand-alone (primary) treatment for protection against subterranean termites (including Formosan termite), in states requiring a preconstruction treatment. This product may also be used in conjunction with other termite control tactics to provide additional protection.

Use soap and water to clean up tools.

In structures where a soil treatment/barrier termiticide has been applied and/or termite bait system installed, Genics CuB may be applied as an additional treatment to protect wood from subterranean termites that may have penetrated the chemical gaps occurring within the termiticide-treated soil or have bypassed the bait/monitor systems and entered the structure. For termites, beetles, other insects and decay fungi that can fly or be carried directly into the structure, entirely bypassing the soil treatment.

As a remedial treatment, Genics CuB will both eliminate and prevent infestations of Formosan, native subterranean termites, wood boring beetles, carpenter ants and decay fungi. It may also be used as a supplement or alternative to fumigation in order to provide long-term residual control. Since Genics CuB is applied directly in the structure, it can be used in areas where environmental contamination is of concern (nearby wells, cisterns, etc.). The active ingredients in Genics CuB are inorganic salts and once in place, will not decompose or volatilize out of the wood.

Genics CuB is not a soil termiticide. Do not use to directly treat soil except as directed.

Older wood boring beetle larvae and especially pupae (particularly Old House Borers) already present in the wood at the time of treatment may occasionally emerge some time after treatment. This is because they are no longer feeding on the wood. This will not occur frequently enough to cause structural damage to any wooden member and reinfestation is prevented.

DIRECTIONS FOR USE

Genics CuB is READY-TO-USE and should be applied as an undiluted product by dip, spray, brush, roller or other means of application that allows thorough coverage of the surface.

Genics CuB may be used on all cellulosic materials including wood, plywood, particle board, paper, oriented strand board (OSB) cardboard, wood composite, and foam materials. Apply Genics CuB only to bare wood, plywood, particle board and other cellulosic materials where an intact water repellent barrier, such as paint, stain or sealant is not present. Do not apply to frozen wood.

Genics CuB is a highly effective termiticide, insecticide, fungicide and moldicide that eliminates infestations and provides long term protection against:

Subterranean Termites: Reticulitermes, Heterotermes
Formosan Termites: Coptotermes
Drywood Termites: Incisitermes, Kaloterms
Dampwood Termites: Zootermopsis, Neotermes
Old House Borers, Longhorn Beetles (Cerambycidae)
Carpenter Ants (Camponotus)
Furniture and Deathwatch Beetles (Anobiidae)
Ambrosia Beetles: Platypodidae, Scolytidae
Powderpost Beetles: Lyctidae, Bostrichidae
Anobiid Beetles: Anobiidae
Wood Decay: Brown, White and Dry rot

Dip Treating Logs and Lumber: Sticker bundle wood to ensure the solution covers all wood surfaces. Submerge logs and/or lumber in the solution for at least one (1) minute or until all entrapped air has escaped. After dipping, the newly treated wood should be stacked and stored under a tarpaulin or shed roof to slow the drying process and prevent wash off by rainfall, thus improving penetration. Complete penetration may require several weeks to occur, depending upon species and thickness of wood.

Brush/Roller/Spray: For remedial control, two applications of Genics CuB are normally required for control of decay or insects while only a single application will control mold. Apply Genics CuB solution by brush, roller or spray until wood surface is thoroughly wet, at a rate of approximately 1 litre per 10 square meters [1 gal per 400 square feet] of wood surface area. When spraying, apply evenly using a medium or coarse spray at low pressures (1–2 kg/cm² [<25 psi]). Thoroughly soak cut ends. Additional coats may be applied if necessary, waiting at least 20 minutes between applications.

New Construction Treatment: For protection of wood against subterranean termites, apply Genics CuB at the 'dried-in' stage of construction, when structural wood is most accessible. This application would usually occur after walls are in place but not covered with drywall, and before installation of electrical wiring or placement of insulation. Apply one coat of Genics CuB thoroughly to structural wood, including sill plates, piers, subfloors, studs or any other structural wood component. Use no less than 1 gallon of product per 400 square feet (1 liter per 10 square meters) of treated wood. For slab construction, apply a continuous band to base plate and walls to a minimum height of 0.6 meters (2 feet) from the slab. For other types of construction, apply a two-foot (0.6 m) band around all cellulosic materials in crawl spaces and basements. In cases where access to structural wood is limited to two or less sides, two coats should be applied 20 minutes apart.

Pressure Treatment: Pressure Treatment must rigidly adhere to the current specifications of Genics CuB or those of the American Wood Preservers' Association (AWPA) for borates.

Injection: Application may be made by drilling, then injecting the solution into infested areas until refusal occurs. Product may also be applied as a foam by adding 3 to 8 ounces of foam per gallon of solution. Apply foam so as to completely fill the void and contact all surfaces in the void space.

It is important to allow treated material to completely dry (at least 48 hours, depending upon temperature and humidity) before applying any protective finish. The finish or topcoat should be applied within two weeks of treatment if the treated product is exposed to rain or running water. Although a wide variety of paints and stains have been successfully used over Genics CuB treated wood, it is always a good idea to coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

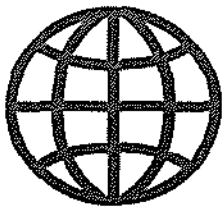
STORAGE and DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool, dry place inaccessible to children and pets and away from food or feed. Do not freeze.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned stay out of smoke.



SRS INTERNATIONAL CORPORATION

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Heyward.Adam@epamail.epa.gov

Suarez.Mark@epamail.epa.gov

Original by Courier

March 14, 2008

Mr. Adam Heyward
Antimicrobials Division (7510P)
U.S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Mr. Mark Suarez
Registration Division (7505P)
U.S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Subject: Response to Product Performance /Efficacy Review for Genics CuB, (EPA Reg Num: 71653-6, Decision # 362915, dated 20 Nov 2007)

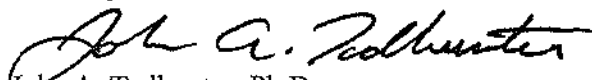
Dear Mr. Heyward and Mr. Suarez:

Referencing our telephone meeting of December 6, 2007 in regard to termiticide claims for Genics CuB, we appreciate the opportunity for dialog concerning the efficacy review of the submission of Genics CuB as a wood treatment for control of termites and other wood destroying insects. As discussed during our meeting Genics has generated the attached two distinct documents (one as a Word document and the other as a PDF) which we respectfully to clarify the information provided in support of the registration amendment and offer additional discussion and information that we believe provides clearer documentation of the efficacy of the product.

Genics, Inc. would like to ask the Agency's indulgence to offer a commentary on the rationale used in structuring the Genics CuB submission as was done, and on the process to this point. As a small company based in Canada and focused on industrial wood treatment, they lack the considerable resources and experience of larger companies in organizing the support for a registration. As such, they have tried to follow the guidelines and historical precedent set by AWWA regarding the use of borates for termite control in wood, which focuses on demonstrating that the appropriate amount of boron is present in the treated wood. As a company, they have strong leadership in AWWA committees including those on standards for remedial treatments by non-pressure processes. In undertaking the task of registering Genics CuB, neither they nor we (SRS) were aware of any published guidelines by the Agency regarding wood treatment that require US Forest Service-type trials, much like those associated with soil-applied termiticides. Lacking accepted guidelines, the long accepted, scientifically validated AWWA processes was followed to generate and submit the package for registration of Genics CuB with AWWA tenets in mind. In regards to process, we had assumed that the data by US Borax would have been considered in the initial review and we now understand that would not necessarily occur as part of the process. We do hope that these data are considered from this point forward. We are discouraged by the delay during the review of this submission, particularly the delay associated with the ASPCRO label review. We do acknowledge and appreciate the Agency's effort for expediting the process to mitigate these delays.

Again, please accept our appreciation for the continued dialog on this amendment. We do believe that the available information as summarized above does support the proposed amendment. We thank the Agency for their time and effort in considering the refocused discussion of this amendment.

Sincerely,



John A. Todhunter, Ph.D.
Agent for Genics, Inc.

cc (by e-mail):

Hartman.Mark@epamail.epa.gov

wes.wall@genicsinc.com

main@srsinternational.com

Attachments: Additional Information re Termite Efficacy of Genics CuB (MS Word)
Field Borate Penetration Test Genics (PDF)

ADDITIONAL INFORMATION RE TERMITE EFFICACY OF GENICS CuB

Overview:

The U.S. Environmental Protection Agency previously reviewed a package of termiticide efficacy data for Genics CuB (EPA Reg. No. 71653-6). Of the 26 studies referenced in the review, the Agency concluded that these were not applicable to the desired amendment due to differences between the test and subject formulations (Decision # 362915, dated 20 Nov 2007). Genics, Inc. agrees in principle that some of these studies referenced do not provide direct support of proof of efficacy to support the amendment, but instead were meant as supplemental information.

Genics, Inc. would note further that the support of the relevant termiticide amendment is based on the following four components:

- 1) The DOT and boric acid components of Genics CuB, (containing DOT, Boric acid and CuOH) are effective in providing termite control based on published reports,
- 2) The Genics CuB formulation is substantially similar to the formulation approved for termite control as Genics CobraCrush,
- 3) Diffusion of boron into wood is the fundamental basis for termite protection with boron-based products; when boron levels (expressed as boric acid equivalents – BAE) exceed termite critical levels termites are controlled. In this light, we provide new evidence of CuB diffusion into wood and lastly (see second attached document, Field Borate Penetration Test Genics [PDF]).
- 4) US Borax (Rio Tinto) provides support to this amendment by allowing access to previously submitted data supporting

We individually address these four components relative to the previous efficacy review and wish to clarify the support for the amendment as follows:

1) DOT, Boric Acid as effective insecticides for termite control.

Studies reported in MRID numbers 47105701, 47105712, 47105713, 47105717, 47105722, 47105724, 47139704 and 47139705 demonstrate the efficacy of DOT and or boric acid for the control termites in wood. While the formulations are not the same as Genics CuB, these studies support the effectiveness of the active ingredient. This was the purpose of their inclusion. We argue that the inerts in various formulations do not play a role in efficacy, *per se*, but serve only as a medium to deliver boron to the wood and may in some cases may enhance diffusion. Our data demonstrate that diffusion of the active ingredients into the wood is similar with CuB as with other formulations containing DOT. That is, the carrier of DOT is irrelevant to efficacy so long as diffusion of boron into the wood is demonstrated with a particular formulation. Therefore, we maintain that the studies considered not applicable by the Agency because of formulation difference are indeed relevant to establish the efficacy of the active ingredients, DOT and boric acid. Under point 3 below, we present additional data to demonstrate the ability of Genics CuB to diffuse into wood when applied according to label instructions included in the

Product ingredient source information may be entitled to confidential treatment

Manufacturing process information may be entitled to confidential treatment

Genics, Inc.

amendment. These data link the efficacy of the active ingredient with the properties of Genics CuB with the establishment of the critical BAE in wood.

2) Genics CuB is a substantially similar formulation to CobraCrush MDT.

CobraCrush MDT is an amorphous, glass-like crystal powder composed of DOT, boric acid and copper oxide that is used to produce Genics CuB. Genics CuB is simply the ready to use form of CobraCrush MDT (EPA Reg Number 71653-4) made by [REDACTED]

[REDACTED] A rod formulation containing DOT, boric acid and copper hydroxide, [REDACTED] can also be considered a substantially similar product. These rods show similar diffusion and deposition characteristics of DOT through a wood profile as the 100% DOT rods (Impel), reported in MRID #47105711.

3) Critical BAE levels for termite control are independent of form and formulations of DOT or boric acid.

AWPA provides an established basis to accept that the effectiveness of DOT, boric acid and other boron-based products against termites is based on demonstrating the diffusion of the product into wood to establish an accepted critical level boric acid equivalent [BAE]. Efficacy of boron-based compounds against termites is based on the establishment of the critical boric acid equivalent (BAE) in wood. BAEs above 0.75% are known to prevent infestations of termites in wood (references). AWPA has approved inorganic boron, not specific to formulations, as a preventative treatment for termites, provided the retentions meet the above ground – dry (UC-1) or the above ground – damp (UC-2) requirements. In short, DOT is DOT, regardless of formulation, so long as the critical BAE is achieved.

Attached, please find a report recently received which addresses the diffusion (penetration) of the Genics CuB product applied to two species of wood (unpublished report to Genics from TermiSys, 2008). This study demonstrates that within 2 weeks, 100% penetration of borate was achieved with pine, and in 3 weeks, complete penetration of borate was observed in sweetgum wood. In this test, penetration was indicated by using the AWPA A-3 color reagent test which indicates a BAE level well above those necessary to prevent termite infestations.

Genics, Inc.

**Addressing the Relevance of Previously Submitted MRIDs and Responses to Specific
MRID Comments Contained in the Agency Review:**

The following Table 1 summarizes our view of the studies submitted in the original CuB package, organized by MRID number. In addition, we offer the some specific comments relating to the Agency's review and interpretation of each of the MRIDs.

Responses by MRID #:

47105701, 47105711:

The Agency expressed that these studies were conducted on a formulation different than the subject formulation (Genics CuB). It is our belief and knowledge that Genics CuB is a substantially similar formulation to both the Cobra Crush MDT (powder form) and Cobra Rods (solid form). As mentioned above, Genics CuB is identical to the CobraCrush, only with [REDACTED] added. Genics CuB is made by [REDACTED]. This product chain (Rods-Powder-RTU) holds the same characteristics of the original DOT, boric acid and copper actives. If one were to prepare CobraCrush for spraying on a wood surface, you would simply add the CobraCrush to water before spraying. Genics CuB is merely a convenience form of CobraCrush. Further, we argue that CobraRods are substantially similar since the rods are a solidified version of the Cobra Crush. Therefore, we submit that all three forms of the product, CobraCrush, CobraRods and Genics CuB, are substantially similar and bridging of these data for supporting Genics CuB is appropriate. Once applied to wood and the water diluent has dried, the remaining constituents of Genics CuB are the same as Cobra Crush, used in both MRID 47105701 and 47105711. While the concentrations in the CuB – RTU product are lower, protection from termites is achieved so long as the target BAE retentions are achieved.

47105712:

This study reports on CobraCrush, as discussed above, a substantially similar formulation. Therefore, we argue that this report is relevant to demonstrating efficacy. The Agency expressed concern that significant damage occurred in 8 of 11 treatments. The purpose of this trial in part, was to examine loading rates. Those loadings above 0.7% BAE, provided control of termites, as indicated by AWP ratings above 9. It should be noted that the mortality of termites in treated units was >99%. Therefore, we suggest that these data provide support to copper borate application for termite control, applied at the proper loading rate.

47105713:

The Agency review considered this study not relevant because of differences in test formulation and subject. For reasons expressed above, we argue that this trial reports on a substantially similar formulation and is appropriate to support the amendment. The Agency review also characterizes control achieved in the treated wood as 'moderate' and that the termite pressure was limited. Rather than moderate control, we argue that AWP ratings for the treated blocks of 9.7 and 10 should be considered to be highly effective. Similarly, we suggest that the untreated controls rated as <9 in 8 of 11, constitutes light to moderate activity, yet sufficient to make the test valid.

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47105715, 47105716, 47105717, 47105722:

MRID #47105717 and #47105722 are the culminating papers from these two companion field-structure simulation trials, one conducted in Hawaii (5717) and the other in Japan (5722). We focus on 5717 and 5722 and consider 5715 and 5716 interim readings. Trial 5717 is an 8-year assessment in Hawaii and 5722 is a 10-year assessment in Japan, each including treatments with the same DOT formulation contained in Genics CuB, using a surface (reported as shell) application, the same method as recommended on the proposed Genics CuB label amendment. To simulate a surface wood treatment aboveground during the framing stage of construction (per Genics CuB label), treated wood was placed on a 19-cm cement block, simulating wood above a foundation. These trials are particularly robust because of the 'feeder' stakes placed in the hollow cement blocks to promote termite activity near the treated wood. In response to the Agency review that characterized the termite pressure as "marginally acceptable" in the untreated controls after year 5 in study 5717, we offer a sound explanation of what appears to be lower pressure after year 6, contained in the authors comments and in the table and footnote included in the report. Grace et al note on page 2 of study 5717 that through year 5, all controls were "completely destroyed" (2 exceptions were AWPAs, avg AWPAs was 0.8), and each untreated board had to be replaced yearly. Up to this point, the untreated boards (as were the treated boards) had been sourced from a commercial product composed of hemlock and fir (labeled hem-fir). In year 6, high-density hemlock boards were substituted for the destroyed untreated controls, and this high-density hemlock proved to be termite resistant over time. According to the footnote b in Table 2 of MRID 5717, the only untreated boards not consisting of the termite-resistant, high-density hemlock were in box 7 (reported in table 2 as the 7th entry in untreated column = 0-0-0-0). Box 7 used the low-density hemlock and as a result, sustained complete damage (all four replicates were destroyed, AWPAs=0). Therefore, we argue that because of the inadvertent change in wood source from termite-susceptible one to more resistant, the termite pressure on the treated blocks indeed remained high through the course of the study. In fact, the one unit (#7) is the only appropriate comparison as a susceptible food source, and it is those 4 replicates that would best be used as an index of termite pressure. As a result, we submit that the termite pressure was actually quite high through the study including year 8, and the performance of the treatments was very good to excellent considering this high termite pressure. The treated boards (2 & 3% BAE- Shell trt) at year 8 were all above 8.2 AWPAs (8.35 avg), considered in the AWPAs scale to be light termite attack, and as a result, suffered little mass loss (~3%). The authors conclude "eight years of field results in HI and ten years in Japan, support the conclusion that these DOT treatments... provide long term protection from destructive termite attack to structural timber". Finally as a note to the trial 5722 conducted in Japan, data are provided in graph form in this report rather than table; neither the 2 or 3% BAE surface treatments fell below AWPAs until year nine, demonstrating excellent control. Given the significant termite pressure in the Hawaii trial, we contend these data as well as data from Japan, demonstrate efficacy beyond the 5-year efficacy standard, and are conducted under conditions more rigorous than those encountered at locations included in US Forest Service soil-termiticide trials.

47139704, 47139705:

The Agency review concluded these reports were not applicable because of differences between test and subject formulation. We argue that the ammoniacal copper borate used in these two studies and Genics CuB is bridgeable. The starting actives and the ending products when applied to wood are the same in Genics CuB as those reported in these studies, copper hydroxide and DOT. Again, once DOT is in wood, the BAE and the level of protection afforded to termites are

Genics, Inc.

independent of starting formulation. These studies also point out the improved leaching resistance that is imparted by the addition of copper to DOT, which also has been observed with Genics CuB.

Table 1. Summary of Comments on Relevance of MRIDs to Termite Amendment

MRID #	AUTHOR (YEAR)	Relevance of Study to Amendment	Comments
47105701	Grace 2002	Demonstrates efficacy of Cobra Crush	Genics CuB = [REDACTED]
47105707	Wall et al. 2004	Demonstrates diffusion of rod form of copper borate product	
47105708	Lloyd 2004	Indirectly relevant; provides general support for DOT efficacy	
47105709	Lloyd et al. 2007	Carpenter ants; not directly relevant to amendment for termites	
47105710	Lanz et al. 1998	Beetle control; not directly relevant to amendment for termites	
47105711	Wall et al. 2007	Demonstrates termite efficacy for solidified form (rods) of CobraCrush	Bridges to Genics CuB
47105712	Wall & Smart 2006	For loading rates above 0.75% BAE, demonstrates efficacy (>9 AWP) of CuB	
47105713	Morris et al. 2003	Demonstrates efficacy of CuB	We disagree with the Agency's assessment of this study; see detailed comment above.
47105714	Smith & Lloyd 2004	Indirectly relevant; provides general support for DOT efficacy	
47105715, 47105716, 47105717 (companion study 47105722)	Grace et al. 2000, 2004, 2006	Relevant by showing long-term DOT efficacy; Demonstrates efficacy for 8 yrs for DOT shell (surface) treatments at 3% BAE, >4 years efficacy at 2% BAE	See comments above on interpretation of AWP ratings; Note: untreated stakes replaced as they were heavily damaged.
47105718	Babuder et al. 2004	Not relevant to termite amendment.	
47105719	Babuder et al. 2007	Not relevant to termite amendment.	
47105720	Dirol 1989	Indirectly relevant; provides additional diffusion profile data for solid (rod) DOT movement in wood	
47105721	Drysdale 1994	Limited relevance: reports critical BAE values for Reticulitermes, pg 8	

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47105722	Tsunoda et al. 2006	Relevant by showing long-term DOT efficacy; Graph, p 5, shows efficacy for 2%, 3% BAE surface (shell) treatments with AWPAs >9 through yr 8.	See comments above on interpretation of AWPAs ratings; Note: untreated stakes replaced as they were heavily damaged.
47105724	Clausen & Yang 2004	Demonstrates efficacy of boric acid component of Genics CuB	
47105726	Dirol 1988	Efficacy demonstration of Borate rods	
47139703	Quarles 1992	Agreed. No relevant additional data	
47139704	Johnson & Foster 1991	Relevant by providing basic long term efficacy for copper borate	See discussion above on why ACB data relevant to Genics CuB formulation
47139705	Johnson & Gutzmer 1978	Relevant by providing basic long term efficacy for copper borate	See discussion above on why ACB data relevant to Genics CuB formulation
47139706	Grace 2007	Relevant by providing summary of critical BAE values for termite species	
47139707	Klotz & Moss 1995	Agreed. Not relevant to termite amendment	
47148701	Minchin & Morris 2001	Agreed. Not relevant to termite amendment	
47148702	Clark & Morris 2001	Agreed. Not relevant to termite amendment	

Pages 79-82 Access to FIFRA Registration Data is Restricted Under FIFRA 10(g)



Adam
Heyward/DC/USEPA/US
11/26/2007 08:51 AM

To John Jamula/DC/USEPA/US
cc Mark Hartman/DC/USEPA/US, Michael
Hardy/DC/USEPA/US
bcc
Subject Refund of PRIA Fee for D-376843

John-

Please refund the PRIA fee for OPP Decision Number: D-376843 [EPA Reg No. 71653-6] and closed or delete OPP Decision Number: D-376843 from OPPIN. The subject PRIA submission [D-376843 [EPA Reg No. 71653-6]] was the initial PRIA Decision Number for the subject submission: However, a resubmission was made by the company to fix the data under PR Notice 86-5. The resubmission was assigned the OPP Decision Number: D-377484 [EPA Reg. 71653-6]. Consequently, the data was submitted to the EPA science branch for review under OPP Decision Number: D-377484 [EPA Reg. 71653-6].

Adam Heyward
Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

RISK ASSIGNMENT FORM
Antimicrobial Division/Regulatory Management Branch II

A

PRODUCT REVIEWER: Stacey Grigsby						RMB II TEAM 34	
Description of Action:						EPA File Symbol/Reg No. 71653-6	
Decision No.		Submission No.		Fee for Service Action Code: A55			
FQPA Action Code:		Non-FQPA Action Code:		PRIA FEE AMOUNT:			
		DAY	MONTH	YEAR			
APPLICATION DATE		29	May	2007			
EPA PIN DATE		29	May	2007			
DATE PM RECEIVED FROM FRONT END		13	June	2007			
DATE SENT TO SCIENCE <small>(IVIVIAN COMPLETES)</small>							
DATE DUE FROM SCIENCE				2007			
FQPA DUE DATE							
Type of Data:	PSB Product Chemistry	PSB Acute Toxicology	REGISTRATION DIVISION EFFICACY <i>FRB</i>	RASSB Environmental Fate	RASSB Ecological Effects	RASSB Chronic Toxicology	RASSB Exposure /Residue
Comments: <div style="text-align: right; margin-right: 100px;"><i>Rm. 97661 205-6596</i></div> Attention Meredith Laws: The attached efficacy data, submitted by Genics Inc. to support the subject product label claim for termite use (Subterranean, Formosan, and Dampwood & Drywood). Please assign the efficacy data to your scientist for review in support of the proposed claims.							
ATTACHMENTS: e-LABELING e-CSF(S) e-DATA e-OTHERS							
B	For Arctic Slope Contract Only						
	Contract No.: 0052		ARCTIC SLOPE/MANAGER				
	Final Task: Signature _____ (Total hrs)						
C	Reviewer Comments:						
DATE FEE PAID:				RESPONSE CODE: 1185 RESPONSE DATE: 11/26/07			



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

November 26, 2007

OPP Decision Number: D-377484

Zuhal Alkas
SRS International Corporation
Registration Agent for
Genics Inc.
7700 Leesburg Pike, Suite 208
Falls Church, VA 22043

Subject: Product Name: Cobra CuB
 EPA Reg Number: 71653-6
 Application Date: 29-May-2007
 Receipt Date: 29-May-2007

Dear Ms. Alkas:

The following amendment, submitted in connection with registration under section 3(c) (7) (A) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the following comments.

Proposed amendment:

- Add label claims for wood boring beetles, carpenter ants and termites.

Acceptable data:

1. The submitted efficacy data supports the use of the product, Cobra CuB being effective as a preventative and curative treatment against carpenter ants (*Camponotus* spp.).
2. The submitted efficacy data is acceptable in support the of the subject product claim being effective against wood boring beetles (*Coleoptera*).

Unacceptable data:

The efficacy data and review papers provided in the submission for the subject product are not acceptable to support the addition of the claim for use against termites (*Isoptera*). The fundamental deficiency is the fact that the product specific data did not demonstrate that the product, Cobra CuB provides complete protection from termites attack in field trails with adequate termite pressure.

Labeling comments:

- Delete the label claims for "*Remedial and preventive termite*" from the draft label.

General comments:

For detailed information and consideration, refer to the enclosed EPA/RD Efficacy review memo dated November 20, 2007. Additional, I recommend that you contact Mark Suarez, Entomologist, EPA Registration Division Insecticide Branch by telephone at 703.305-0120 or by email at suarez.mark@epa.gov for further information to follow or develop an appropriate protocol through which the subject formulation can be tested.

Submit three (3) copies of the labeling bearing the revision stated above. A copy will be stamped and returned for your records.

If you have questions concerning this letter, please contact Stacey Grigsby by telephone at 703-305-6440 or by email at grigsby.stacey@epa.gov or me by telephone at 703-308-6422 or by e-mail at heyward.adam@epa.gov.

Sincerely,



Adam Heyward
Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

Enclosure: EPA/RD Efficacy Memo

PRODUCT PERFORMANCE / EFFICACY REVIEW

Mark Suarez, Entomologist - IB

DATE: 20 November 2007

EPA REG. NUMBER: 71653-6

PRODUCT NAME: Genics CuB
REGISTRANT: Genics Inc.

PM: Adam Hayward, RM 34
REVIEWER: Stacey Grigsby

DECISION #: 362915
DP BARCODE: 327808

ACTION: A55

ACTIVE INGREDIENT(S): 011103, Boron Sodium Oxide,
tetrahydrate.....9.1%
011101, Boric Acid.....0.51%
023401, Copper Hydroxide.....0.96%

TYPE: Wood Composite Additive

OPPTS GUIDELINE(S): 810.3500
810.3600, as applicable

MRID:	47105701	Submitted	GLP? No.
	47105707	"	GLP? No.
	47105708	"	GLP? No.
	47105709	"	GLP? No.
	47105710	"	GLP? No.
	47105711	"	GLP? No.
	47105712	"	GLP? No.
	47105713	"	GLP? No.
	47105714	"	GLP? No.
	47105715	"	GLP? No.
	47105716	"	GLP? No.
	47105717	"	GLP? No.
	47105718	"	GLP? No.
	47105719	"	GLP? No.
	47105720	"	GLP? No.
	47105721	"	GLP? No.
	47105722	"	GLP? No.
	47105724	"	GLP? No.
	47105726	"	GLP? No.

Mark ES.
20 November 2007

47139703	“	GLP? No.
47139704	“	GLP? No.
47139705	“	GLP? No.
47139706	“	GLP? No.
47139707	“	GLP? No.
47148701	“	GLP? No.
47148702	“	GLP? No.

SITES & PESTS

Indoors/Outdoors:	Termites &
Wood & Wood	other Wood
Composites	Destroying
	Insects

STUDY APPLICATION RATE: Variable, see individual summaries

LABEL APPLICATION RATE: RTU: Spray, Brush, Dip, Roller (or other thorough coverage of surface)

MRID 47105701. Grace, K. (2002) Resistance of OSB Containing Cobra Crush Fungicide/Wood Preservative to Termite Attack. Project Number: AWWA/E1/97. Unpublished study prepared by University of Hawaii. 16 p.

The data provided in MRID 47105701 were developed from laboratory trials involving the treatment of wood wafers with Cobra Crush [EPA Reg. No. 71653-4] and Zinc Borate. The treated and control wafers were exposed to 400 Formosan subterranean termites (*Coptotermes formosanus*) for 4 weeks in a no choice test. The trial was replicated three times with two samples from each of three replicates.

The data generated are not applicable to the subject registration to differences between the test and subject formulations.

MRID 47105707. Wall, W; Prins, C; Smart, R (2004) Efficacy and Diffusibility of Copper Borate. Proceedings of the American Wood Preservers' Association (2004): 1-12.

The data provided in MRID 47105707 were generated from field trials in which telephone poles were treated with CobraRods. Tests for mold and decay resistance were conducted, but not termite data were generated.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations and the fact that the study provided not data on termites.

MRID 47105708. Lloyd, J. (2004) Framing Stage Treatments in the USA: (Genics Cub). Unpublished study prepared by Nisus Corp. 17 p.

The information contained in MRID 47105708 can be most accurately characterized as a position paper on the suitability of borates for use as a wood preservative.

The paper provided no product specific information about the subject formulation.

MRID 47105709. Lloyd, J.; Fogel, J.; Kirkland, R; et. al. (2007) Control of Carpenter Ants using Borate Treated Wood Products: (Genics Cub). Unpublished study prepared by U.S. Borax Inc. and Bio Research. 13 p.

The study, MRID 47105709, tested the effectiveness of a borate pressure treatment of southern yellow pine (SYB) or oriented strand board (OSB) against Carpenter ant (*Camponotus modoc*). The 12 week test demonstrated that 0.28 lb/ft³ B₂O₃ (~0.5% BAE) was adequate to protect woods from carpenter ants.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47105710. Lanz, B.; Manser, P.; Graf, E. (1998) Water-Based Wood Preservatives For Curative Treatment of Insect-Infested Spruce Constructions: (Genics Cub). Project Number: IRG/WP 98/30171. Unpublished study prepared by Swiss Federal Laboratories for Materials Testing and Research (EMPA).

The information contained in MRID 47105710 can be most accurately characterized as a position paper on the suitability of borates for use against beetles.

The paper provided no product specific information about the subject formulation.

MRID 47105711. Wall, W.; Goodman, J.; Smart, R. (2007) Copper/Boron Mobility in Pine and Cedar: (Genics Cub). Unpublished study prepared by Genics Inc. and Duke Energy. 10 p.

The study, MRID 47105711, tested the diffusion of borates and copper (from Cobra and Impel rods) in pine and cedar woods. The test demonstrated that boron migrated farther (6x) than copper in the wood.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47105712. Wall, W.; Smart, R. (2006) Copper Borate for the Protection of Engineered Wood Composites: (Genics Cub). Project Number: IRG/WP/05/50XXX. Unpublished study prepared by Genics Inc. 15 p.

The study, MRID 47105712, tested the effectiveness of treating OSB with copper borate and other pesticides against mold, decay, and *C. formosanus* in laboratory studies. The data indicate that the Cu/B formulations tested were somewhat effective against the Formosan termite; however significant damage (AWPA Rating <9) occurred in 8 of 11 treatments within 28 days. Additional data were provided on chemistry occurring with treated OSB and the efficaciousness of the test formulations against mold and decay.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations. Additionally, the laboratory data provided do not provide the data necessary to evaluate a product as a stand alone termite pretreatment.

MRID 47105713. Morris, P.; Grace, K.; Tsunoda, K.; et. al. (2003) Performance of Borate-Treated Wood Against *Reticulitermes flavipes* in Above-Ground Protected

Conditions: (Genics Cub): Paper Prepared for the 34th Annual Meeting, Brisbane, Australia. Project Number: IRG/WP/03/30309. Unpublished study prepared by Forintek Canada Corp., University of Hawaii at Manoa, Kyoto University and Duke Energy. 11 p.

The data provided in MRID 47105713 were generated from field trials in which woods were treated with borates or chromated copper arsenate (CCA) and exposed to termite pressure in Canada. The treated woods demonstrated moderate resistance to termite attack, according to the AWPAs damage rating scale. However, the control damage observed was minimal.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations and the limited termite pressure documented.

MRID 47105714. Smith, W.; Lloyd, J. (2004) Prevention of Termite Tubing Over Non-Wood Construction Materials Using Glycol Borate: (Genics Cub). Project Number: IRG/WP/04/30358. Unpublished study prepared by: Louisiana State University and Nisus Corp. 16 p.

The data provided in MRID 47105714 were generated from laboratory trials in which concrete was treated with BoraCare and exposed to foraging termites. The trial was designed to evaluate the effectiveness of a BoraCare application as a deterrent to termite foraging tube construction. The treated concrete demonstrated reduced tunneling.

The data provided in this study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47105715. Grace, J.; Oshiro, R.; Byrne, T.; et al. (2000) Termite Resistance of Borate-treated Lumber in a Three-year Above-ground Field Test in Hawaii: (Genics Cub): Paper Prepared by for 31st Annual Meeting, Kona, HI. Project Number: IRG/WP/00/30236. Unpublished study prepared by University of Hawaii at Manoa, Forintek Canada Corp. and Kyoto University. 8 p.

The data provided in MRID 47105715 were generated from field trials in Hawaii. Woods were treated with borates, DOT + DDAC, ACZA, or chromated copper arsenate (CCA) placed in weatherproof enclosures, but exposed to termite pressure for 3 years. The treated woods demonstrated moderate resistance to termite attack, according to the AWPAs damage rating scale. However, the control damage observed was minimal. (A concurrent test was run in Japan, but data were not provided.)

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47105716. Grace, J.; Byrne, A.; Morris, P.; et al. (2004) Six-year Report on the Performance of Borate-treated Lumber in an Above-ground Termite Field Test in Hawaii: (Genics Cub): Paper Prepared for the 35th Annual Meeting, Ljubljana, Slovenia. Project Number: IRG/WP/04/30343. Unpublished study prepared by University of Hawaii at Manoa, Forintek Canada Corp. and Kyoto University. 11 p.

The data provided in MRID 47105716 were a continuation of the data reported in MRID 47105715, generated from field trials in Hawaii. Woods were treated with borates, DOT + DDAC, ACZA, or chromated copper arsenate (CCA) placed in weatherproof enclosures, but exposed to termite pressure for 6 years. The treated woods demonstrated moderate resistance to termite attack, according to the AWPAs damage rating scale.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47105717. Grace, J.; Byrne, A.; Morris, P.; et al. (2006) Performance of Borate-Treated Lumber After 8 years in an Above-Ground Termite Field in Hawaii: (Genics Cub): Paper Prepared for the 37th Annual Meeting, Tromsø, Norway. Project Number: IRG/WP 06/30390. Unpublished study prepared by University of Hawaii at Manoa, Forintek Canada Corp. and Kyoto University. 11 p.

The data provided in MRID 47105717 were a continuation of the data reported in MRIDs 47105715 and 47105716, generated from field trials in Hawaii. Woods were treated with borates, DOT + DDAC, ACZA, or chromated copper arsenate (CCA) placed in weatherproof enclosures, but exposed to termite pressure for 8 years. The treated woods demonstrated moderate resistance to termite attack, according to the AWPAs damage rating scale. The termite pressure observed in untreated controls was only marginally acceptable in years 6, 7, and 8.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47105718. Babuder, G.; Petric, M.; Cadez, F.; et al. (2004) Effectiveness of the New Chemical Wood Preservative Borasol 9 Against a House Longhorn Beetle *Hylotrupes bajulus*: (Genics Cub). Project Number IRG/WP 04/30355. 7 p.

The study submitted under MRID 47105718 provided data on the effectiveness of Borasol 9 as a treatment for cerambycid infestations. The data provided indicate that the test formulation is efficacious against these organisms.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47105719. Babuder, G.; Petric, M.; Cadez, F.; et al. (2007) Fungicidal Properties of Boron Containing Preservative Borasol 9. Project Number: IRG/WP/04/30348. Unpublished study prepared by Borasol d.o.o., University of Ljubljana and Centre Technique du Bois et de l'Ameublement. 8 p.

The study submitted under MRID 47105719 provided data on the effectiveness of Borasol 9 as a treatment against fungi. The data provided indicate that the test formulation is efficacious against these organisms.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47105720. Dirol, D. (1989) Diffusion of Fused Borate Rods in Top Ends of Poles. Project Number: IRG/WP/3518. Unpublished study prepared by Societe Cobra,

Koppers-Hickson Timber Protection Ltd. and Research Institute for Sustainable Humanosphere. 8 p.

The study, MRID 47105720, examined the diffusion of borates through poles for fused borate rods in the presence and absence of a liquid borate treatment.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47105721. Drysdale, J. (1994) Boron Treatments for the Preservation of Wood - A Review of Efficacy Data for Fungi and Termites. Project Number: IRG/WP/94/30037. Unpublished study prepared by Genics Inc., Societe Cobra and Koppers-Hickson Timber Protection Ltd. 24 p.

The information contained in MRID 47105721 can be most accurately characterized as a review paper on the use of borates and other wood preservatives. Fungi and termites are specific foci of the review.

The paper provided no product specific information about the subject formulation.

MRID 47105722. Tsunoda, K.; Byrne, A.; Morris, P.; et. al. (2006) Performance of Borate-Treated Lumber After 10 years in a Protected, Above-Ground Field Test in Japan: (Genics Cub): Final Report: Paper Prepared for the 37th Annual Meeting, Tromso, Norway. Project Number: IRG/WP/06/30395. Unpublished study prepared by Kyoto University, Forintek Canada Corp. and University of Hawaii at Manoa. 8 p.

The data provided in MRID 47105722 were from a companion study of the data reported in MRIDs 47105715, 47105716, and 47105717, generated from field trials in Hawaii. In this trial, woods were treated with borates, DOT + DDAC, ACZA, or chromated copper arsenate (CCA) placed in weatherproof enclosures, but exposed to termite pressure for 10 years in Japan. No data tables were provided, but the narrative indicates that the treated woods demonstrated adequate resistance to termite attack.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47105724. Clausen, C.; Yang, V. (2004) Multicomponent Biocide Systems Protect Wood from Decay Fungi, Mold Fungi, and Termites for Interior Applications. Project Number: IRG/WP/04/30333. Unpublished study prepared by U.S. Forest Service, Forest Products Laboratory. 10 p.

The study, MRID 47105724, examined the efficaciousness of boric acid mixed with voriconazole and ethanolamine against termites.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47105726. Dirol, D. (1988) Borate Diffusion in Wood From Rods and Liquid Product Application to Laminated Beams: (Genics Cub). Project Number: IRG/WP/3482. Unpublished study prepared by Centre Technique du Bois et de l'Ameublement. 14 p.

The data provided in MRID 47105724 demonstrated the diffusion of boric acid from fused rods and liquid form into wood.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47139703. Quarles, W. (1992) Borates Provide Least-Toxic Wood Protection. The IPM Practitioner 14(10): 1-11.

The information contained in MRID 47139703 can be most accurately characterized as a position paper presenting the benefits of using borates for wood protection. The low mammalian toxicity of borates was a focus of the review.

The paper provided no product specific information about the subject formulation.

MRID 47139704. Johnson, B.; Foster, D. (1991) Preservatives Loss from Stakes Treated with Ammoniacal Copper Borate. Forest Products Journal 9(41): 35-38.

The data provided in MRID 47139704 demonstrated a reduction in the leaching of boric acid from wood pressure treated with ammoniacal copper borate in both above and below ground applications over 11 years.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47139705. Johnson, B.; Gutzmer, D. (1978) Ammoniacal Copper Borate: A New Treatment for Wood Preservation. Forest Products Journal 28(2): 33-36.

The data provided in MRID 47139705 were generated by exposing leached or unleached wood treated with ammoniacal copper borate to decay and termites in the laboratory for 4 weeks.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations.

MRID 47139706. Grace, K. (2007) Review of Recent Research on the Use of Borates for Termite Prevention. p 85-92.

The information contained in MRID 47139706 can be most accurately characterized as a review paper discussing borates for wood protection. The results of research published to the time of publication (circa 1997) of the paper were discussed in an effort to synthesize a comprehensive understanding of borate use for termite control.

The paper provided no product specific information about the subject formulation.

MRID 47139707. Klotz, J.; Moss, J. (1995) Oral Toxicity of a Boric Acid- Sucrose Water Bait to Florida Carpenter Ants (Hymenoptera: Formicidae). J. Entomol. Sci. 31(1): 9-12

The data provided in MRID 47139707 were generated from laboratory trials assessing the toxicity of boric acid in a sucrose solution to carpenter ants, *Camponotus abdominalis floridanus*.

The data provided in the aforementioned study were not applicable to the desired amendment due to differences between the test and subject formulations and the fact that not directions for use are provided on the subject label for use as a carpenter ant bait.

MRID 47148701. Minchin, D.; Morris, P. (2001) An Eight-Week Mould Resistance Test of OSB Treated with Genics Copper/Borate Formulation. Unpublished study prepared by Forintek Canada Corp. 16 p.

The data provided in MRID 47148701 were the result of an 8 week laboratory test of copper borate treated OSB panels exposed to mold.

The data provided in the aforementioned study were not applicable to the desired amendment due to fact that the study was against mold.

MRID 47148702. Clark, J.; Morris, P. (2001) Durability of OSB Incorporation a Copper/Borate Formulation in a Laboratory Soil Jar Decay Test. Project Number: 2001/3015. Unpublished study prepared by Forintek Canada Corp. 13 p.

The data provided in MRID 47148701 were the result of an 8 week laboratory test of copper borate treated OSB panels exposed to mold.

The data provided in the aforementioned study were not applicable to the desired amendment due to fact that the study was against decay.

ENTOMOLOGIST'S COMMENTS AND RECOMMENDATIONS:

The determination of the efficacy reviewer is provided below by taxonomic group.

1. Termites (Isoptera)

The data and review papers provided in the submission fail to adequately support the addition of claims that the product may be used as a termiticide. The fundamental deficiency is the fact that product specific data demonstrating that the product provides complete protection from termite attack in field trials with adequate termite pressure. Remove remedial and preventive termite claims from the label.

The registrant is encouraged to contact the Registration Division Insecticide Branch in order to follow or develop an appropriate protocol through which the subject formulation can be tested.

2. Carpenter ants (*Camponotus* spp.)

The data provided support the claim that the product is effective as a preventative and curative treatment against carpenter ants.

3. Beetles (Coleoptera)

The data provided support claims against wood boring beetles.

GENICS INC.

Genics CuB

For the preservation and protection of wood, wood composites, or any weatherable product susceptible to fungal decay, mold, termite or insect attack.

For Interior and Exterior Use

READY TO USE; NO DILUTION REQUIRED

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

If in Eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first five minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
If on Skin or Clothing: Take off contaminated clothing. Rinse skin immediately for 15-20 minutes. Call poison control center or doctor for treatment advice.
If Inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.
If Swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

ACTIVE INGREDIENTS:

Disodium Octaborate	9.1%
Boric Acid	0.51%
Copper Hydroxide	0.96%
Inerts	89.4%
TOTAL:	100 %

PRODUCT PROVIDES IN XX BORIC ACID EQUIVALENTS

EPA Reg. No. 71653-6

US EPA Est. 71653-CAN-01

Net Contents : x Gallons

Genics Inc.
#561 Acheson Rd. 53016 Hwy 60
Acheson, AB T7X 5A7
(780) 962-1000 FAX: (780) 962-1052
1-877-9-GENICS

It is a violation of Federal Law to use this product
in a manner inconsistent with its labeling.

READ THE ENTIRE LABEL BEFORE USE.

PRECAUTIONARY STATEMENTS

May be harmful if swallowed. Avoid contact with eyes and skin. May cause eye irritation. Avoid rubbing eyes while working with product. Wash hands thoroughly with soap and water after handling and before eating, drinking or smoking. Store and wash all protective clothing separately from household laundry. Personal protective clothing, normal work clothes (i.e. long pants, shoes, a long sleeved shirt) plus waterproof gloves for all users of product. Do not leave container where children or animals may gain access.

GENERAL INFORMATION

When spraying overhead interior areas of homes, apartment buildings, etc., cover or protect all surfaces below the area being sprayed with plastic sheeting material that can be disposed of if contamination from dripping occurs. Do not apply in food serving areas while food is exposed.

In new construction applications for the prevention of subterranean termites, structural wood is defined as: only wood needed for the basic building structure as found in the dried-in stage of construction, including wood in direct contact with foundations, interior and exterior wall sill plates, wood studs, wood or cellulosic sheathing, floor joists and sub-flooring. For new construction, this product may be considered a stand-alone (primary) treatment for protection against subterranean termites (including Formosan termite), in states requiring a preconstruction treatment. This product may also be used in conjunction with other termite control tactics to provide additional protection.

Use soap and water to clean up tools.

In structures where a soil treatment/barrier termiticide has been applied and/or termite bait system installed, Genics CuB may be applied as an additional treatment to protect wood from subterranean termites that may have penetrated the chemical gaps occurring within the termiticide-treated soil or have bypassed the bait/monitor systems and entered the structure. For termites, beetles, other insects and decay fungi that can fly or be carried directly into the structure, entirely bypassing the soil treatment.

As a remedial treatment, Genics CuB will both eliminate and prevent infestations of Formosan, native subterranean termites, wood boring beetles, carpenter ants and decay fungi. It may also be used as a supplement or alternative to fumigation in order to provide long-term residual control. Since Genics CuB is applied directly in the structure, it can be used in areas where environmental contamination is of concern (nearby wells, cisterns, etc.). The active ingredients in Genics CuB are inorganic salts and once in place, will not decompose or volatilize out of the wood.

Genics CuB is not a soil termiticide. Do not use to directly treat soil except as directed.

Older wood boring beetle larvae and especially pupae (particularly Old House Borers) already present in the wood at the time of treatment may occasionally emerge some time after treatment. This is because they are no longer feeding on the wood. This will not occur frequently enough to cause structural damage to any wooden member and reinfestation is prevented.

DIRECTIONS FOR USE

Genics CuB is **READY-TO-USE** and should be applied as an undiluted product by dip, spray, brush, roller or other means of application that allows thorough coverage of the surface.

Genics CuB may be used on all cellulosic materials including wood, plywood, particle board, paper, oriented strand board (OSB) cardboard, wood composite and foam materials. Apply Genics CuB only to bare wood, plywood, particle board and other cellulosic materials where an intact water repellent barrier, such as paint, stain or sealant is not present. Do not apply to frozen wood.

Genics CuB is a highly effective termiticide, insecticide, fungicide and moldicide that eliminates infestations and provides long term protection against:

Subterranean Termites: Reticulitermes, Heterotermes
Formosan Termites: Coptotermes
Drywood Termites: Incisitermes, Kaloterms
Dampwood Termites: Zootermopsis, Neotermes
Old House Borers, Longhorn Beetles (Cerambycidae)
Carpenter Ants (Camponotus)
Furniture and Deathwatch Beetles (Anobiidae)
Ambrosia Beetles: Platypodidae, Scolytidae
Powderpost Beetles: Lyctidae, Bostrichidae
Anobiid Beetles: Anobiidae
Wood Decay: Brown, White and Dry rot

Dip Treating Logs and Lumber: Sticker bundle wood to ensure the solution covers all wood surfaces. Submerge logs and/or lumber in the solution for at least one (1) minute or until all entrapped air has escaped. After dipping, the newly treated wood should be stacked and stored under a tarpaulin or shed roof to slow the drying process and prevent wash off by rainfall, thus improving penetration. Complete penetration may require several weeks to occur, depending upon species and thickness of wood.

Brush/Roller/Spray: For remedial control, two applications of Genics CuB are normally required for control of decay or insects while only a single application will control mold. Apply Genics CuB solution by brush, roller or spray until wood surface is thoroughly wet, at a rate of approximately 1 litre per 10 square meters [1 gal per 400 square feet] of wood surface area. When spraying, apply evenly using a medium or coarse spray at low pressures (1–2 kg/cm² [<25 psi]). Thoroughly soak cut ends. Additional coats may be applied if necessary, waiting at least 20 minutes between applications.

New Construction Treatment: For protection of wood against subterranean termites, apply Genics CuB at the 'dried-in' stage of construction, when structural wood is most accessible. This application would usually occur after walls are in place but not covered with drywall, and before installation of electrical wiring or placement of insulation. Apply one coat of Genics CuB thoroughly to structural wood, including sill plates, piers, subfloors, studs or any other structural wood component. Use no less than 1 gallon of product per 400 square feet (1 liter per 10 square meters) of treated wood. For slab construction, apply a continuous band to base plate and walls to a minimum height of 0.6 meters (2 feet) from the slab. For other types of construction, apply a two-foot (0.6 m) band around all cellulosic materials in crawl spaces and basements. In cases where access to structural wood is limited to two or less sides, two coats should be applied 20 minutes apart.

Pressure Treatment: Pressure Treatment must rigidly adhere to the current specifications of Genics CuB or those of the American Wood Preservers' Association (AWPA) for borates.

Injection: Application may be made by drilling, then injecting the solution into infested areas until refusal occurs. Product may also be applied as a foam by adding 3 to 8 ounces of foam per gallon of solution. Apply foam so as to completely fill the void and contact all surfaces in the void space.

It is important to allow treated material to completely dry (at least 48 hours, depending upon temperature and humidity) before applying any protective finish. The finish or topcoat should be applied within two weeks of treatment if the treated product is exposed to rain or running water. Although a wide variety of paints and stains have been successfully used over Genics CuB treated wood, it is always a good idea to coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

STORAGE and DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool, dry place inaccessible to children and pets and away from food or feed. Do not freeze.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

[illegible]



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

*File
EOM*

June 13, 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

PLEASE RETURN A COPY OF THIS LETTER WITH PAYMENT
OR PAY ON-LINE at www.Pay.Gov (See Below for Details)

OPP Decision Number: D-377484
EPA File Symbol or Registration Number: 71653-6
Product Name: GENICS CUB
EPA Receipt Date: 29-Mar-2007
EPA Company Number: 71653
Company Name: GENICS INC.

JIM T. HILL
SRS INTERNATIONAL CORP.
GENICS INC.
7700 LEESBURG PIKE, SUITE 208
FALLS CHURCH, VA 22043-

SUBJECT: Receipt of Amendment Subject to Registration Service Fee - Revised

Dear Registrant:

The Office of Pesticide Programs has received your application for Amendment. If you submitted data with this application, the results of the PRN-86-5 screen will be communicated separately. During the administrative screen, the Office of Pesticide Programs has determined that this Action is subject to a Pesticide Registration Service Fee as defined in the Pesticide Registration Improvement Act.

The Action previously identified as A57 has been reclassified as Action Code: A55

NEW PRODUCT;NON-FAST TRACK;OTHER USES;

Please remit payment in the amount of: \$ 4,200 to:

By USPS:
USEPA Washington Finance Center
Pesticide Registration Service Fee
PO Box 360277
Pittsburgh, PA 15251

By Courier:

U.S. EPA Washington Finance Center
Pesticide Registration Service Fee
C/O Mellon Client Service Center
500 Ross Street, Room 670
Box 360277
Pittsburgh, PA 15251-6277
Attn: EPA Module Supervisor
Telephone: (412) 236-2294

All payments must be in United States currency by check, bank draft, or money order drawn to the order of the Environmental Protection Agency. To ensure proper credit, please write the OPP DECISION NUMBER on your check, and enclose a copy of this letter with your payment.

Effective November 1, 2006, fees may be paid on-line via credit card or electronic fund transfer. To submit a payment on-line, visit www.pay.gov. From the pay.gov home page, select "search by form name." From the next page, select "P," then click on "Pesticide Registration Improvement Act. Fee Payment" and complete the form, making certain to use the decision number and registration number on the invoice you receive from the Pesticide Program in the space provided.

You may be eligible for a full or partial waiver of the registration service fee if, for example, you qualify as a small business or are applying for a minor use, or if your application is solely associated with an IR-4 tolerance petition. Please be advised that if you intend to request a waiver, you must do so in writing within 15 days of receipt of this invoice instead of remitting the amount indicated above. OPP will not consider waiver requests after the registration service fee has been paid. Information regarding eligibility and how to request and document a fee waiver is available on the OPP Fee for Service web site at www.epa.gov/pesticides/fees.

Please send Registration Service Fee Waiver requests to:

By USPS:

Document Processing Desk (WAIVER)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

By Courier:

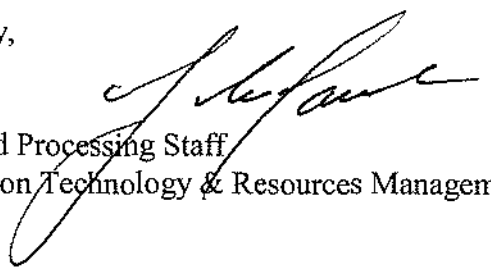
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Arlington, VA

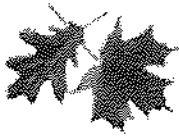
A PRIA decision time review period will not start until a fee waiver is granted and/or the Agency receives certification that the outstanding fee has been paid. If the Agency does not receive certification of payment for this action or a fee waiver request within the next 45 days, the Agency will presume that you no longer want to pursue this action. The Agency will then initiate a process that may result in administrative withdrawal of this action.

If you have any questions, please contact the Pesticide Registration Service Fee Ombudsman,

at (703) 308-6432.

Sincerely,


Front End Processing Staff
Information Technology & Resources Management Division



Adam
Heyward/DC/USEPA/US
06/13/2007 01:37 PM

To John Jamula/DC/USEPA/US@EPA
cc Vivian Beach/DC/USEPA/US@EPA
bcc
Subject PRIA Code Change/ Decision Number: D-377484

Hi John:

Please change the PRIA Code for Decision Number: D-377484 /EPA Reg. No. 71653-6 from A57 to A55.

Thanks

Adam Heyward
Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

June 8, 2007

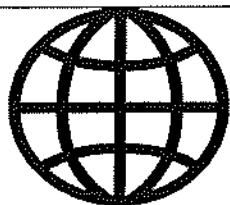
OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

GENICS INC.
7700 LEESBURG PIKE, SUITE 208
FALLS CHURCH, VA 22043-

Report of Analysis for Compliance with PR Notice 86-5

Thank you for your submittal of 07-JUN-07. Our staff has completed a preliminary analysis of the material. The results are provided as follows:

Your submittal was found to be in full compliance with the standards for submission of data contained in PR Notice 86-5. A copy of your bibliography is enclosed, annotated with Master Record ID's (MRIDs) assigned to each document submitted. Please use these numbers in all future references to these documents. Thank you for your cooperation. If you have any questions concerning this data submission, please raise them with the cognizant Product Manager, to whom the data have been released.



SRS INTERNATIONAL CORPORATION

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FALLS CHURCH, VA 22043

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Office of Pesticide Programs

Document Processing Desk

Room 266A

One Potomac Yard

2777 S Crystal Drive

Arlington, VA 22202

June 6, 2007

Attention: Mr. Adam Heyward,
Product Manager 34
Insecticide Branch
Registration Division 7505

Subject: Label Amendment for Cobra CuB
EPA Registration No. 71653-6

Dear Mr. Heyward:

On behalf of our client, Genics Inc., we submitted an amendment for EPA Product No. 71653-6. Due to submitted data found to be partially in compliance with the standards, studies below rejected. We are re-submitting following corrected studies in order to replace rejected studies. In support of this registration amendment, please find the following attached:

47148701 1. Data Volume 1: Study # 1

“An Eight-week Mould Resistance Test of OSB Treated with Genics Copper / Borate Formulation”

Dave Minchin, Paul Morris

Forintek Canada Corp.

Contract No. 2001-3192

Study Completion Date: April, 2001

47148702 2. Data Volume 2: Study # 2

"Durability of OSB Incorporating a Copper / Borate Formulation in a Laboratory
Soil Jar Decay Test"

J. E. Clark, Paul Morris


Forintek Canada Corp.

Contract No. 2001-3015

Study Completion Date: August, 2001

Please contact me at (703) 821 3255, (703) 821 0157 for voicemail, or
main@srsinternational.com for email with any questions regarding this registration
amendment.

Sincerely

A handwritten signature in black ink, appearing to read "Zuhail Alkas", with a large, stylized loop at the beginning.

Zuhail Alkas

Registration Agent for Genics Inc.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

June 5, 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

GENICS INC.
7700 LEESBURG PIKE, SUITE 208
FALLS CHURCH, VA 22043-

Report of Analysis for Compliance with PR Notice 86-5

Thank you for your submittal of 29-MAY-07. Our staff has completed a preliminary analysis of the material. The results are provided as follows:

Your data submittal was found to be partially in compliance with the standards for submission of data contained in PR Notice 86-5, with the exceptions noted below. A copy of your transmittal bibliography is enclosed, annotated with the Master Record ID's (MRIDs) assigned to each document accepted. Please use these numbers in all future references to these documents.

If deficiencies were found which apply to individual accepted studies, they are listed below following the applicable MRID. Any document which has been assigned a MRID has been accepted under PR Notice 86-5. If any comments related to a MRID appear on this report, they are provided for your information and reference when preparing future submissions. Some individual documents were not acceptable, and all copies are being returned to you for correction for the reasons indicated below.

These rejected studies have been assigned separate identification numbers which are annotated on both the enclosed bibliography and the rejected document labels.

The rejected studies and their deficiencies are described below.

Rejected Study [01]:

* Your Statement of No Data Confidentiality Claims is contradicted by the marking(s) on page(s) 1 and 4-16 of the study. If you do not intend to make Supplemental Claims of Data Confidentiality you can explicitly override these markings when you resubmit this study.

Rejected Study [02]:

* Your Statement of No Data Confidentiality Claims is contradicted by the marking(s) on page(s) 1 and 4-13 of the study. If you do not intend to make Supplemental Claims of Data Confidentiality you can explicitly override these markings when you resubmit this study.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 20, 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

GENICS INC.
7700 LEESBURG PIKE, SUITE 208
FALLS CHURCH, VA 22043-

Report of Analysis for Compliance with PR Notice 86-5

Thank you for your submittal of 29-MAR-07. Our staff has completed a preliminary analysis of the material. The results are provided as follows:

Your data submittal was found to be partially in compliance with the standards for submission of data contained in PR Notice 86-5, with the exceptions noted below. A copy of your transmittal bibliography is enclosed, annotated with the Master Record ID's (MRIDs) assigned to each document accepted. Please use these numbers in all future references to these documents.

If deficiencies were found which apply to individual accepted studies, they are listed below following the applicable MRID. Any document which has been assigned a MRID has been accepted under PR Notice 86-5. If any comments related to a MRID appear on this report, they are provided for your information and reference when preparing future submissions. Some individual documents were not acceptable, and all copies are being returned to you for correction for the reasons indicated below.

These rejected studies have been assigned separate identification numbers which are annotated on both the enclosed bibliography and the rejected document labels.

The rejected studies and their deficiencies are described below.

Rejected Study [02]:

* Each study must be continuously paginated from the title page through the end of the study and all appendices except for the Confidential Attachment or Supplemental Statement of Confidentiality Claims, if present even when the study is large enough to span more than one physical volume.

* Your Statement of No Data Confidentiality Claims is contradicted by the marking(s) on page(s) 1-16 (Except Confidentiality and GLP Statement pages) of the study. If you do not intend to make Supplemental Claims of Data Confidentiality you can explicitly override these markings when you resubmit this study.

Rejected Study [03]:

* The following page(s) in this study is/are illegible because data has been cut off along the margin(s): 10 (Marked as page 3)

* Each study must be continuously paginated from the title page through the end of the study and all appendices except for the Confidential Attachment or Supplemental Statement of Confidentiality Claims, if present even when the study is large enough to span more than one physical volume.

* Your Statement of No Data Confidentiality Claims is contradicted by the marking(s) on page(s) 1-13 (Except Confidentiality and GLP Statement Pages) of the study. If you do not intend to make Supplemental Claims of Data Confidentiality you can explicitly override these markings when you resubmit this study.

Rejected Study [04]:

* No title page was included for this study.

* You must include one of the two acceptable statements of data confidentiality claims under FIFRA section 10(d)(1)(A), (B), or (C) as the second element in each study. The language of two alternative forms of the Statement of Data Confidentiality Claims, shown in Attachment 3 of PR Notice 86-5, cannot be altered. See pages 8 and 13 of the Notice.

* You are required to submit a true and accurate statement of compliance or non-compliance with the Good Laboratory Practice (GLP) regulations contained in 40CFR 160. This statement must address the compliance or non-compliance of all phases of the study which are subject to these regulations, even if the study was conducted at more than one facility. This statement must be signed by the submitter and the sponsor as well as the study director. We can not accept a statement which addresses GLP compliance of only one portion of a study. Please note that a reference to performance in accordance with the principles of Good Laboratory Practice and similar phrases are unacceptable because their regulatory reference is not specific.

Rejected Study [05]:

* No title page was included for this study.

* You must include one of the two acceptable statements of data confidentiality claims under FIFRA section 10(d)(1)(A), (B), or (C) as the second element in each study. The language of two alternative forms of the Statement of Data Confidentiality Claims, shown in Attachment 3 of PR Notice 86-5, cannot be altered. See pages 8 and 13 of the Notice.

* You are required to submit a true and accurate statement of compliance or non-compliance with the Good Laboratory Practice (GLP) regulations contained in 40CFR 160. This statement must address the compliance or non-compliance of all phases of the study which are subject to these regulations, even if the study was conducted at more than one facility. This statement must be signed by the submitter and the sponsor as well as the study director. We can not accept a statement which addresses GLP compliance of only one portion of a study. Please note that a reference to performance in accordance with the principles of Good Laboratory Practice and similar phrases are unacceptable because their regulatory reference is not specific.

Rejected Study [06]:

* No title page was included for this study.

* You must include one of the two acceptable statements of data confidentiality claims under FIFRA section 10(d)(1)(A), (B), or (C) as the second element in each study. The language of two alternative forms of the Statement of Data Confidentiality Claims, shown in Attachment 3 of PR Notice 86-5, cannot be altered. See pages 8 and 13 of the Notice.

* You are required to submit a true and accurate statement of compliance or non-

compliance with the Good Laboratory Practice (GLP) regulations contained in 40CFR 160. This statement must address the compliance or non-compliance of all phases of the study which are subject to these regulations, even if the study was conducted at more than one facility. This statement must be signed by the submitter and the sponsor as well as the study director. We can not accept a statement which addresses GLP compliance of only one portion of a study. Please note that a reference to performance in accordance with the principles of Good Laboratory Practice and similar phrases are unacceptable because their regulatory reference is not specific.

Rejected Study [23]:

- * No title page was included for this study.
- * You must include one of the two acceptable statements of data confidentiality claims under FIFRA section 10(d)(1)(A), (B), or (C) as the second element in each study. The language of two alternative forms of the Statement of Data Confidentiality Claims, shown in Attachment 3 of PR Notice 86-5, cannot be altered. See pages 8 and 13 of the Notice.
- * You are required to submit a true and accurate statement of compliance or non-compliance with the Good Laboratory Practice (GLP) regulations contained in 40CFR 160. This statement must address the compliance or non-compliance of all phases of the study which are subject to these regulations, even if the study was conducted at more than one facility. This statement must be signed by the submitter and the sponsor as well as the study director. We can not accept a statement which addresses GLP compliance of only one portion of a study. Please note that a reference to performance in accordance with the principles of Good Laboratory Practice and similar phrases are unacceptable because their regulatory reference is not specific.

Rejected Study [25]:

- * No title page was included for this study.
- * You must include one of the two acceptable statements of data confidentiality claims under FIFRA section 10(d)(1)(A), (B), or (C) as the second element in each study. The language of two alternative forms of the Statement of Data Confidentiality Claims, shown in Attachment 3 of PR Notice 86-5, cannot be altered. See pages 8 and 13 of the Notice.
- * You are required to submit a true and accurate statement of compliance or non-compliance with the Good Laboratory Practice (GLP) regulations contained in 40CFR 160. This statement must address the compliance or non-compliance of all phases of the study which are subject to these regulations, even if the study was conducted at more than one facility. This statement must be signed by the submitter and the sponsor as well as the study director. We can not accept a statement which addresses GLP compliance of only one portion of a study. Please note that a reference to performance in accordance with the principles of Good Laboratory Practice and similar phrases are unacceptable because their regulatory reference is not specific.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 3, 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

PLEASE RETURN A COPY OF THIS LETTER WITH PAYMENT
OR PAY ON-LINE at www.Pay.Gov (See Below for Details)

OPP Decision Number: D-377484
EPA File Symbol or Registration Number: 71653-6
Product Name: GENICS CUB
EPA Receipt Date: 29-Mar-2007
EPA Company Number: 71653
Company Name: GENICS INC.

JIM T. HILL
SRS INTERNATIONAL CORP.
GENICS INC.
7700 LEESBURG PIKE, SUITE 208
FALLS CHURCH, VA 22043-

SUBJECT: Receipt of Amendment Subject to Registration Service Fee

Dear Registrant:

The Office of Pesticide Programs has received your application for Amendment. If you submitted data with this application, the results of the PRN-86-5 screen will be communicated separately. During the administrative screen, the Office of Pesticide Programs has determined that this Action is subject to a Pesticide Registration Service Fee as defined in the Pesticide Registration Improvement Act.

The Action has been identified as Action Code: A57

AMENDMENT;NON-FAST TRACK;

Please remit payment in the amount of: \$ 3,150 to:

By USPS:
USEPA Washington Finance Center
Pesticide Registration Service Fee
PO Box 360277
Pittsburgh, PA 15251

By Courier:

U.S. EPA Washington Finance Center
Pesticide Registration Service Fee
C/O Mellon Client Service Center
500 Ross Street, Room 670
Box 360277
Pittsburgh, PA 15251-6277
Attn: EPA Module Supervisor
Telephone: (412) 236-2294

All payments must be in United States currency by check, bank draft, or money order drawn to the order of the Environmental Protection Agency. To ensure proper credit, please write the OPP DECISION NUMBER on your check, and enclose a copy of this letter with your payment.

Effective November 1, 2006, fees may be paid on-line via credit card or electronic fund transfer. To submit a payment on-line, visit www.pay.gov. From the pay.gov home page, select "search by form name." From the next page, select "P," then click on "Pesticide Registration Improvement Act. Fee Payment" and complete the form, making certain to use the decision number and registration number on the invoice you receive from the Pesticide Program in the space provided.

You may be eligible for a full or partial waiver of the registration service fee if, for example, you qualify as a small business or are applying for a minor use, or if your application is solely associated with an IR-4 tolerance petition. Please be advised that if you intend to request a waiver, you must do so in writing within 15 days of receipt of this invoice instead of remitting the amount indicated above. OPP will not consider waiver requests after the registration service fee has been paid. Information regarding eligibility and how to request and document a fee waiver is available on the OPP Fee for Service web site at www.epa.gov/pesticides/fees.

Please send Registration Service Fee Waiver requests to:

By USPS:

Document Processing Desk (WAIVER)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

By Courier:

Document Processing Desk (WAIVER)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900 Potomac Yard
2777 S. Crystal Dr.
Arlington, VA

A PRIA decision time review period will not start until a fee waiver is granted and/or the Agency receives certification that the outstanding fee has been paid. If the Agency does not receive certification of payment for this action or a fee waiver request within the next 45 days, the Agency will presume that you no longer want to pursue this action. The Agency will then initiate a process that may result in administrative withdrawal of this action.

If you have any questions, please contact the Pesticide Registration Service Fee Ombudsman,

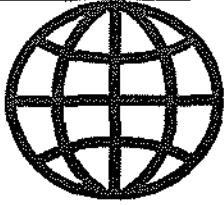
at (703) 308-6432.

Sincerely,

Teresa Downs

Front End Processing Staff

Information Technology & Resources Management Division



SRS INTERNATIONAL CORPORATION

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Mr. Adam Heyward, PM 34
U.S. Environmental Protection Agency
Regulatory Management Branch II
Antimicrobials Division (7510P)
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

March 28, 2007

Attention: Mr. Adam Heyward,
Product Manager 34
Insecticide Branch
Registration Division 7505

Subject: Label Amendment for Cobra CuB
EPA Registration No. 71653-6

Dear Mr. Heyward:

On behalf of our client, Genics Inc., we are submitting a label amendment package.
Amendment to the Master Label in summary:

- The Master Label amended to include the microorganisms listed below; efficacy data to support these additional organisms are included in this submission.
- The Master Label was revised to change of frequency of application.
(Master Label page 4)

Additional studies which establish the efficacy of following microorganisms:

Subterranean Termites: Reticulitermes, Heterotermes

Formosan Termites: Coptotermes

Drywood Termites: Incisitermes, Kalotermes

Dampwood Termites: Zootermopsis, Neotermes
Old House Borers, Longhorn Beetles (Cerambycidae)
Carpenter Ants (Camponotus)
Furniture and Deathwatch Beetles (Anobiidae)
Ambrosia Beetles: Platypodidae, Scolytidae
Powderpost Beetles: Lyctidae, Bostrichidae
Anobiid Beetles: Anobiidae
Wood Decay: Brown, White and Dry rot

In support of this registration amendment, please find the following attached:

1. Administrative materials:

- EPA Form 8570-1: Application for Amendment
- EPA Form 8570-27: Formulator's Exemption Statement
- EPA Form 8570-34: Certification with Respect to Citation of Data
- EPA Form 8570-35: Data Matrix
- Five copies of revised labeling

2. Data Volume 1: Study # 1

"Resistance of OSB Containing Cobra™ Crush Fungicide / Wood Preservative to Termite Attack"

Dr. J. Kenneth Grace (Author)

Dept. of Plant & Environmental Protection Sciences

University of Hawaii

Study Completion Date: June 26, 2002

3. Data Volume 2: Study # 2

"An Eight-week Mould Resistance Test of OSB Treated with Genics Copper / Borate Formulation"

Dave Minchin, Paul Morris

Forintek Canada Corp.

Contract No. 2001-3192

Study Completion Date: April, 2001

4. Data Volume 3: Study # 3

"Durability of OSB Incorporating a Copper / Borate Formulation in a Laboratory Soil Jar Decay Test"

J. E. Clark, Paul Morris

Forintek Canada Corp.

Contract No. 2001-3015

Study Completion Date: August, 2001

5. Data Volume 4: Study # 4

Quarles, William. "Borates Provide Least-Toxic Wood Protection" The IPM Practitioner Volume XIV, Number 10, October 1992

6. Data Volume 5: Study # 5

Johnson, Bruce R., Foster, Daniel O., "Preservative loss from stakes treated with ammoniacal copper borate", Forest Products Journal, Vol. 41, No. 9

7. Data Volume 6: Study #6

Johnson, Bruce R., Gutzmer, David I. "Ammoniacal Copper Borate: a New Treatment for Wood Preservation", Forest Products Journal, Vol. 28, No. 2

8. Data Volume 7: Study #7

Wall, W., Prins, C., Smart, R., "Efficacy and Diffusibility of Copper Borate", Reprinted from the proceedings of the American Wood Preservers' Association (AWPA), 2004

9. Data Volume 8: Study # 8

Lloyd, Jeffery, "Framing Stage Treatments in the USA", Prepared for Canadian Wood Preservers Association (AWPA), 2004

10. Data Volume 9: Study # 9

J.D. Lloyd¹, J.L. Fogel., R. L. Kirkland, R². Cardoza., "Control of Carpenter Ants Using Borate Treated Wood Products"

¹ US Borax Inc

² Bio Research

11. Data Volume 10: Study #10

"Water-Based Wood Preservatives for Curative Treatment of Insect-Infested Spruce Constructions"

Graf E., Manser P. Lanz B.

Dept. of Biology,

Swiss Federal Laboratories for Materials Testing and Research (EMPA)

International Research Group on Wood Preservation

Section 3, Wood Protection Chemicals

IRG / WP 98-30171

Study Date: June 14-18, 1998

12. Data Volume 11: Study #11

Wesley W., Goodman J., Smart R., "Copper / Boron Mobility in Pine and Cedar"
Prepared 2002

13. Data Volume 12: Study #12

"Copper Borate for the Protection of Engineered Wood Composites"
Smart R., Wall W.
International Research Group on Wood Preservation
Section 4, Process and properties
IRG / WP 05-50XXX
Study Date: June 18-22, 2006

14. Data Volume 13: Study #13

"Performance of Borate-treated Wood Against Reticulitermes flavipes in Above-Ground Protected Conditions"
Morris P., Grace K., Tsunoda K., Byrne A.
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 03-30309
Study Date: May 18-23, 2003

15. Data Volume 14: Study #14

"Prevention of Termite Tubing Over Non-Wood Construction Materials Using Glycol Borate"
Smith W. R., Lloyd J.
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 04-30358
Study Date: May 6-10, 2004

16. Data Volume 15: Study #15

"Performance of Borate-treated Wood Against Reticulitermes flavipes in Above-Ground Protected Conditions"
Grace K., Oshiro R. J., Byrne T., Morris P. I., Tsunoda K.,
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 00-30236
Study Date: May 14-19, 2000

17. Data Volume 16: Study #16

"Termite Resistance of Borate-treated Lumber in a Three-year Above-ground Field Test in Hawaii"

Morris P., Grace K., Tsunoda K., Byrne A.
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 03-30309
Study Date: May 18-23, 2003

18. Data Volume 17: Study #17

"Six-year Report on the Performance of Borate-treated Lumber in an Above-ground Field Test in Hawaii"

Grace K., Byrne A., Morris P., Tsunoda K.,
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 04-30343
Study Date: June 6-10, 2003

19. Data Volume 18: Study #18

"Performance of Borate-treated Lumber after 8 years in an Above-ground Field Test in Hawaii"

Grace K., Byrne A., Morris P., Tsunoda K.,
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 06-30390
Study Date: June 18-22, 2006

20. Data Volume 91: Study #19

"Effectiveness of the new chemical wood preservative Borosol 9 against a house longhorn beetle *Hylotrupes bajulus*"

Babuder G., Petric M., Cadez F., Humar M., Pohleven F.
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 04-30355
Study Date: June 6-10, 2004

21. Data Volume 20: Study #20

"Fungicidal properties of boron containing preservative Borosol 9"

Babuder G., Petric M., Cadez F., Humar M., Pohleven F.
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 04-30348
Study Date: June 6-10, 2004

22. Data Volume 21: Study #21

“Diffusion of Fused Borate Rods in Top Ends of Poles”

Dirol D., Guder J.

International Research Group on Wood Preservation

Working Group III, Preservatives and Methods of Treatment

IRG / WP 3518

Study Date: May 22-26, 1989

23. Data Volume 22: Study #22

“Six-year Report on the Performance of Borate-treated Lumber in an Above-ground Field Test in Hawaii”

Grace K., Byrne A., Morris P., Tsunoda K.,

International Research Group on Wood Preservation

Section 3, Wood Protection Chemicals

IRG / WP 04-30343

Study Date: June 6-10, 2003

24. Data Volume 23: Study #23

“Six-year Report on the Performance of Borate-treated Lumber in an Above-ground Field Test in Hawaii”

Grace K., Byrne A., Morris P., Tsunoda K.,

International Research Group on Wood Preservation

Section 3, Wood Protection Chemicals

IRG / WP 04-30343

Study Date: June 6-10, 2003

25. Data Volume 24: Study #24

“Boron Treatments for the Preservation of Wood – A Review of Efficacy Data for Fungi and Termites”

Drysdale J. A.

International Research Group on Wood Preservation

Section 3, Wood Protection Chemicals

IRG / WP 94-30037

Study Date: May 29- June 3, 1994

26. Data Volume 25: Study #25

“Performance of Borate-treated Lumber after 10 years in a protected, above-ground Field Test in Japan (Final Report)”

Tsunoda K., Byrne A., Morris P., Grace K.

International Research Group on Wood Preservation

Section 3, Wood Protection Chemicals
IRG / WP 06-30395
Study Date: June 18-22, 2006

27. Data Volume 26: Study #26

"Review of recent Research on the Use of Borates for Termite Prevention"
Grace Kenneth

Registrant believes these studies will support efficacy against Termites, Fungus, Ants, Beetles, Molds, and Decay.

Please contact me at (703) 821 3255, (703) 821 0157 for voicemail, or main@srsinternational.com for email with any questions regarding this registration amendment.

Sincerely,

A handwritten signature in black ink, appearing to read "Zuhail Alkas". The signature is fluid and cursive, with a large loop at the beginning.

Zuhail Alkas
Registration Agent for Genics Inc.

TRANSMITTAL DOCUMENT

NAME AND ADDRESS OF SUBMITTER:

Genics, Inc. Attn: Mr. Wesley Wall
561 Acheson Road - 53016 Hwy 60
Acheson, AB T7X-5A7 CANADA

REGULATORY ACTION SUPPORTED BY THIS PACKAGE:

Application for an amendment of registration for Genics CuB
EPA Registration No. 71653-6

TRANSMITTAL DATE:

March 28, 2007

LIST OF SUBMITTED INFORMATION:

1. Administrative materials

1. Transmittal Document
2. Cover Letter
3. Application for amendment to registration (EPA form 8570-1)
4. Certification with Respect to Citation of Data (EPA form 8570-34)
5. Data Matrix (EPA form 8570-35)
6. Formulator's Exemption Statement (EPA form 8570-27)
7. Five (5) copies of the proposed product label

47105701 2. Data Volume 1: Study # 1

"Resistance of OSB Containing Cobra™ Crush Fungicide / Wood Preservative to Termite Attack"

Dr. J. Kenneth Grace (Author)

Dept. of Plant & Environmental Protection Sciences

University of Hawaii

Study Completion Date: June 26, 2002

Reject (02) 3. Data Volume 2: Study # 2

"An Eight-week Mould Resistance Test of OSB Treated with Genics Copper / Borate Formulation"

Dave Minchin, Paul Morris

Forintek Canada Corp.

Contract No. 2001-3192

Study Completion Date: April, 2001

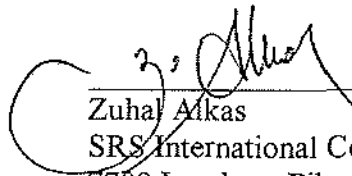
Reject (03) 4. Data Volume 3: Study # 3

Section 3, Wood Protection Chemicals
IRG / WP 06-30395
Study Date: June 18-22, 2006

Reject (23) 27. Data Volume 26: Study #26

"Review of recent Research on the Use of Borates for Termite Prevention"
Grace Kenneth

COMPANY OFFICIAL:


Zuhair Alkas
SRS International Corporation
7700 Leesburg Pike Suite 208
Falls Church, VA 22043

Tel: (703) 821-0157
Fax: (703) 821-2299
e-mail: main@srsinternational.com

47105724 28. Study 27

Multicomponent biocide systems protect wood from decay, fungi, mold fungi + termites for interior applications

Reject (25) 29. Study 28

Oral Toxicity of a Boric Acid-sucrose Water Bait to Florida Carpenter Ants (Hymenoptera: Formicidae)

47105726 30. Study 29

Borate diffusion in wood from rods + liquid product
Application to laminated beams

IRG / WP 04-30348
Study Date: June 6-10, 2004

47105720 22. Data Volume 21: Study #21

"Diffusion of Fused Borate Rods in Top Ends of Poles"
Dirol D., Guder J.
International Research Group on Wood Preservation
Working Group III, Preservatives and Methods of Treatment
IRG / WP 3518
Study Date: May 22-26, 1989

23. Data Volume 22: Study #22

*
Same
AS
17

"Six-year Report on the Performance of Borate-treated Lumber in an Above-ground Field Test in Hawaii"
Grace K., Byrne A., Morris P., Tsunoda K.,
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 04-30343
Study Date: June 6-10, 2003

24. Data Volume 23: Study #23

*
Same
AS
17

"Six-year Report on the Performance of Borate-treated Lumber in an Above-ground Field Test in Hawaii"
Grace K., Byrne A., Morris P., Tsunoda K.,
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 04-30343
Study Date: June 6-10, 2003

47105721✓ 25. Data Volume 24: Study #24

"Boron Treatments for the Preservation of Wood – A Review of Efficacy Data for Fungi and Termites"
Drysdale J. A.
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 94-30037
Study Date: May 29- June 3, 1994

47105722 26. Data Volume 25: Study #25

"Performance of Borate-treated Lumber after 10 years in a protected, above-ground Field Test in Japan (Final Report)"
Tsunoda K., Byrne A., Morris P., Grace K.
International Research Group on Wood Preservation

Study Date: May 14-19, 2000

47105715 17. Data Volume 16: Study #16

“Termite Resistance of Borate-treated Lumber in a Three-year Above-ground Field Test in Hawaii”

Morris P., Grace K., Tsunoda K., Byrne A.

International Research Group on Wood Preservation

Section 3, Wood Protection Chemicals

IRG / WP 03-30309

Study Date: May 18-23, 2003

47105716 18. Data Volume 17: Study #17

“Six-year Report on the Performance of Borate-treated Lumber in an Above-ground Field Test in Hawaii”

Grace K., Byrne A., Morris P., Tsunoda K.,

International Research Group on Wood Preservation

Section 3, Wood Protection Chemicals

IRG / WP 04-30343

Study Date: June 6-10, 2003

47105717 19. Data Volume 18: Study #18

“Performance of Borate-treated Lumber after 8 years in an Above-ground Field Test in Hawaii”

Grace K., Byrne A., Morris P., Tsunoda K.,

International Research Group on Wood Preservation

Section 3, Wood Protection Chemicals

IRG / WP 06-30390

Study Date: June 18-22, 2006

47105718 20. Data Volume 91: Study #19

“Effectiveness of the new chemical wood preservative Borosol 9 against a house longhorn beetle *Hylotrupes bajulus*”

Babuder G., Petric M., Cadez F., Humar M., Pohleven F.

International Research Group on Wood Preservation

Section 3, Wood Protection Chemicals

IRG / WP 04-30355

Study Date: June 6-10, 2004

47105719 21. Data Volume 20: Study #20

“Fungicidal properties of boron containing preservative Borosol 9”

Babuder G., Petric M., Cadez F., Humar M., Pohleven F.

International Research Group on Wood Preservation

Section 3, Wood Protection Chemicals

International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 98-30171
Study Date: June 14-18, 1998

47105711 12. Data Volume 11: Study #11

Wesley W., Goodman J., Smart R., "Copper / Boron Mobility in Pine and Cedar"
Prepared 2002

47105712 13. Data Volume 12: Study #12

"Copper Borate for the Protection of Engineered Wood Composites"
Smart R., Wall W.
International Research Group on Wood Preservation
Section 4, Process and properties
IRG / WP 05-50XXX
Study Date: June 18-22, 2006

47105713 14. Data Volume 13: Study #13

"Performance of Borate-treated Wood Against Reticulitermes flavipes in Above-Ground Protected Conditions"
Morris P., Grace K., Tsunoda K., Byrne A.
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 03-30309
Study Date: May 18-23, 2003

47105714 15. Data Volume 14: Study #14

"Prevention of Termite Tubing Over Non-Wood Construction Materials Using Glycol Borate"
Smith W. R., Lloyd J.
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 04-30358
Study Date: May 6-10, 2004

16. Data Volume 15: Study #15

*

MISSING

"Performance of Borate-treated Wood Against Reticulitermes flavipes in Above-Ground Protected Conditions"
Grace K., Oshiro R. J., Byrne T., Morris P. I., Tsunoda K.,
International Research Group on Wood Preservation
Section 3, Wood Protection Chemicals
IRG / WP 00-30236

"Durability of OSB Incorporating a Copper / Borate Formulation in a Laboratory Soil Jar Decay Test"

J. E. Clark, Paul Morris

Forintek Canada Corp.

Contract No. 2001-3015

Study Completion Date: August, 2001

Reject (04) 5. Data Volume 4: Study # 4

Quarles, William. "Borates Provide Least-Toxic Wood Protection" The IPM Practitioner Volume XIV, Number 10, October 1992

Reject (05) 6. Data Volume 5: Study # 5

Johnson, Bruce R., Foster, Daniel O., "Preservative loss from stakes treated with ammoniacal copper borate", Forest Products Journal, Vol. 41, No. 9

Reject (06) 7. Data Volume 6: Study #6

Johnson, Bruce R., Gutzmer, David I. "Ammoniacal Copper Borate: a New Treatment for Wood Preservation", Forest Products Journal, Vol. 28, No. 2

47105707 8. Data Volume 7: Study #7

Wall, W., Prins, C., Smart, R., "Efficacy and Diffusibility of Copper Borate", Reprinted from the proceedings of the American Wood Preservers' Association (AWPA), 2004

47105708 9. Data Volume 8: Study # 8

Lloyd, Jeffery, "Framing Stage Treatments in the USA", Prepared for Canadian Wood Preservers Association (AWPA), 2004

47105709 10. Data Volume 9: Study # 9

J.D. Lloyd¹, J.L. Fogel, R. L. Kirkland, R². Cardoza, "Control of Carpenter Ants Using Borate Treated Wood Products"

¹ US Borax Inc

² Bio Research

47105710 11. Data Volume 10: Study #10

"Water-Based Wood Preservatives for Curative Treatment of Insect-Infested Spruce Constructions"

Graf E., Manser P. Lanz B.

Dept. of Biology,

Swiss Federal Laboratories for Materials Testing and Research (EMPA)



United States
Environmental Protection Agency
Washington, DC 20460
Formulator's Exemption Statement
(40 CFR 152.85)

Applicant's Name and Address Genics Inc. 561 Acheson Road 53016 Hwy 60 Acheson, AB T7X5A7, Canada	EPA File Symbol/Registration Number 71653-6
	Product Name Genics CuB
	Date of Confidential Statement of Formula (EPA Form 8570-4) 01/03/2006

As an authorized representative of the applicant for registration of the product identified above, I certify that:

(1) This product contains the following active ingredient(s):

CobraCrush MDT [to provide: disodium octaborate (CAS# 12280-03-04), boric acid (CAS# 10043-35-3), copper hydroxide (CAS# 20427-59-2)]

(2) Of these, each active ingredient listed in paragraph (4) is present solely as the result of the use of that active ingredient in the manufacturing, formulation or repackaging another product which contains that active ingredient which is registered under FIFRA Section 3, is purchased by us from another person and meets the requirements of 40 CFR section 158.50(e)(2) or (3).

(3) Indicate by checking (A) or (B) below which paragraph applies:

☐ (A) An accurate Confidential Statement of Formula (EPA FORM 8570-4) for the above identified product is attached to this statement. That formula statement indicates, by company name, registration number, and product name, the source of the active ingredient(s) listed in paragraph (1).

OR

☒ (B) The Confidential Statement of Formula (CSF)(EPA Form 8570-4) referenced above and on file with the EPA is complete, current, an accurate and contains the information required on the current CSF.

(4) The following active ingredients in this product qualify for the formulator's exemption.

Source		
Active ingredient	Product Name	Registration Number
CobraCrush MDT [to provide: disodium octaborate, boric acid, copper hydroxide]	CobraCrush MDT	71653-4
Signature 	Name and Title Zuhal Alkas, Registration Agent	Date 03.14.07



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1200 Pennsylvania Avenue, N.W.
WASHINGTON, D.C. 20460

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Certification with Respect to Citation of Data

Applicant's/Registrant's Name, Address, and Telephone Number Genics Inc., 561 Acheson Road, 53016 Hwy 60, Acheson, AB Canada T7X5A7	EPA Registration Number/File Symbol 71653-6
Active Ingredient(s) and/or representative test compound(s) disodium octabore, boric acid, copper hydroxide	Date 03-13-2007
General Use Pattern(s) (list all those claimed for this product using 40 CFR Part 158) Industrial - nonfood (fungicide / insecticide)	Product Name Genics CuB

NOTE: If your product is a 100% repackaging of another purchased EPA-registered product labeled for all the same uses on your label, you do not need to submit this form. You must submit the Formulator's Exemption Statement (EPA Form 8570-27).

☐ I am responding to a Data-Call-In Notice, and have included with this form a list of companies sent offers of compensation (the Data Matrix form should be used for this purpose).

SECTION I: METHOD OF DATA SUPPORT (Check one method only)

☐ I am using the cite-all method of support, and have included with this form a list of companies sent offers of compensation (the Data Matrix form should be used for this purpose).

☒ I am using the selective method of support (or cite-all option under the selective method), and have included with this form a completed list of data requirements (the Data Matrix form must be used).

SECTION II: GENERAL OFFER TO PAY

[Required if using the cite-all method or when using the cite-all option under the selective method to satisfy one or more data requirements]

☐ I hereby offer and agree to pay compensation, to other persons, with regard to the approval of this application, to the extent required by FIFRA.

SECTION III: CERTIFICATION

I certify that this application for registration, this form for reregistration, or this Data-Call-In response is supported by all data submitted or cited in the application for registration, the form for reregistration, or the Data-Call-In response. In addition, if the cite-all option or cite-all option under the selective method is indicated in Section I, this application is supported by all data in the Agency's files that (1) concern the properties or effects of this product or an identical or substantially similar product, or one or more of the ingredients in this product; and (2) is a type of data that would be required to be submitted under the data requirements in effect on the date of approval of this application if the application sought the initial registration of a product of identical or similar composition and uses.

I certify that for each exclusive use study cited in support of this registration or reregistration, that I am the original data submitter or that I have obtained the written permission of the original data submitter to cite that study.

I certify that for each study cited in support of this registration or reregistration that is not an exclusive use study, either: (a) I am the original data submitter; (b) I have obtained the permission of the original data submitter to use the study in support of this application; (c) all periods of eligibility for compensation have expired for the study; (d) the study is in the public literature; or (e) I have notified in writing the company that submitted the study and have offered (i) to pay compensation to the extent required by sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA; and (ii) to commence negotiations to determine the amount and terms of compensation, if any, to be paid for the use of the study.

I certify that in all instances where an offer of compensation is required, copies of all offers to pay compensation and evidence of their delivery in accordance with sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA are available and will be submitted to the Agency upon request. Should I fail to produce such evidence to the Agency upon request, I understand that the Agency may initiate action to deny, cancel or suspend the registration of my product in conformity with FIFRA.

I certify that the statements I have made on this form and all attachments to it are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Signature 	Date 03.14.07	Typed or Printed Name and Title Zuhair Alkas, Registration Agent for Genics Inc.
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WASHINGTON, D.C. 20460

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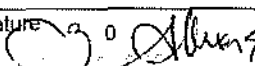
DATA MATRIX

Date 03-08-2007		EPA Reg No./File Symbol 71653-6		Page 1 of 3	
Applicant's/Registrant's Name & Address Genics Inc. 561 Acheson Rd. -- 53016 Hwy 60; Acheson Industrial Park Spruce Grove, AB T7X 3G7		Product: Genics™ CuB			
Ingredient Disodium octaborate tetrahydrate, CAS # 12280-03-4, Reg. No. 1624-125 -- Boric Acid, CAS # 10043-35-3, Reg. No. 1624-117 -- Cupric hydroxide, CAS # 20427-59-2, Reg. No. 1812-297					
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
			Genics Inc.	Own	
			Genics Inc.	Own	
				N/A	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
Signature			Name and Title Zuhair Alkas Registration Agent		Date 03-08-2007

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Applicant's/Registrant's Name & Address: Genics Inc. 561 Acheson Rd. -- 53016 Hwy 60; Acheson Industrial Park Spruce Grove, AB T7X 3G7			Product: Genics™ CuB		
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Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
OPPTS 830.1550	Product Identity	456620-01	Genics Inc.	Own	
OPPTS 830.1600	Description of materials used to produce the product	456620-01	Genics Inc.	Own	
OPPTS 830.1620	Manufacturing Process	N/A		N/A	
OPPTS 830.1650	Formulation Process	456620-01	Genics Inc.	Own	
OPPTS 830.1650	Formulation Process	452031-01	Genics Inc.	Own	
OPPTS 830.1670	Discussion of Formation of Impurities	456620-01	Genics Inc.	Own	
OPPTS 830.1670	Discussion of Formation of Impurities	452031-01	Genics Inc.	Own	
OPPTS 830.1700	Preliminary Analysis	456620-01	Genics Inc.	Own	
OPPTS 830.1750	Certification of Limits	456620-01	Genics Inc.	Own	
OPPTS 830.1800	Enforcement Analytical Method	456620-01	Genics Inc.	Own	
OPPTS 830.1800	Enforcement Analytical Method	452717-01	Genics Inc.	Own	
OPPTS 830.6302	Color	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.6303	Physical State	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.6404	Odor	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.6303	Stability	456620-01	Genics Inc.	Own	Waiver Requested
Signature 			Name and Title Zuhair Akas Registration Agent, USA		Date 03-08-2007

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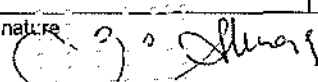
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Date 03-08-2007		EPA Erg No./File Symbol 71653-6		Page 2 of 3	
Applicant's/Registrant's Name & Address: Genics Inc. 561 Acheson Rd. - 53016 Hwy 60; Acheson Industrial Park Spruce Grove, A8 TX 3G7		Product: Genics™ CuB			
Ingredient Disodium octaborate tetrahydrate, CAS # 122B0-03-4, Reg. No. 1624-125 - Boric Acid, CAS # 10043-35-3, Reg. No. 1624-117 - Cupric hydroxide, CAS # 20427-59-2, Reg. No. f812-297					
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
			Genics Inc.	Own	
			Genics Inc.	N/A	
			Genics Inc.	N/A	
			Genics Inc.	Own	
			Genics Inc.	N/A	
			Genics Inc.	N/A	
			Genics Inc.	Own	
			Genics Inc.	N/A	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	N/A	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
Signature 			Name and Title Zuhair Alkas Registration Agent		Date 03-08-2007 131

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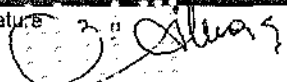
Date 03-08-2007			EPA Reg No./File Symbol 71653-6		Page 2 of 3
Applicant's/Registrant's Name & Address: Genics Inc. 561 Acheson Rd. - 53016 Hwy 60; Acheson Industrial Park Spruce Grove, AB T7X 3G7			Product: Genics™ CuB		
Ingredient Disodium octaborate tetrahydrate, CAS # 12280-03-4, Reg. No. 1624-125 - Boric Acid, CAS # 10043-35-3, Reg. No. 1624-117 - Cupric hydroxide, CAS # 20427-59-2, Reg. No. 1812-297					
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
OPPTS 830.6314	Oxidizing / Reducing: chemical incompatibility	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.6315	Flammability	456620-01	Genics Inc.	N/A	
OPPTS 830.6316	Explosibility	456620-01	Genics Inc.	N/A	
OPPTS 830.6317	Storage Stability	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.6318	Viscosity	456620-01	Genics Inc.	N/A	
OPPTS 830.6319	Miscibility	456620-01	Genics Inc.	N/A	
OPPTS 830.6320	Corrosion Characteristics	456620-01	Genics Inc.	Own	
OPPTS 830.6321	Dielectric Breakdown Voltage	456620-01	Genics Inc.	N/A	
OPPTS 830.7000	pH	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.7500	UV/Vis Spectra	455295-01	Genics Inc.	Own	
OPPTS 830.7200	Melting Point	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.7220	Boiling Point	456620-01	Genics Inc.	N/A	
OPPTS 830.7300	Density	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.7370	Dissociation Constant	456620-01	Genics Inc.	Own	
OPPTS 830.7520	Particle Size	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.7550	Octanol / Water partition coefficient	456620-01	Genics Inc.	N/A	
Signature: 			Name and Title Zuhair Alkas Registration Agent, USA		Date 03-08-2007 132

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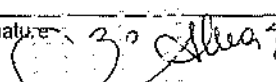
Date 03-08-2007		EPA Erg No./File Symbol 71653-6		Page 3 of 3	
Applicant's/Registrant's Name & Address: Genics Inc. 561 Acheson Rd. - 53016 Hwy 60; Acheson Industrial Park Spruce Grove, AB T7X 3G7		Product: Genics™ CuB			
Ingredient Disodium octaborate tetrahydrate, CAS # 12280-03-4, Reg. No. 1624-125 - Boric Acid, CAS # 10043-35-3, Reg. No. 1624-117 - Cupric hydroxide, CAS # 20427-59-2, Reg. No. 1812-297					
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
Signature 			Name and Title Zuhal Alkas Registration Agent		03-08-2007 133

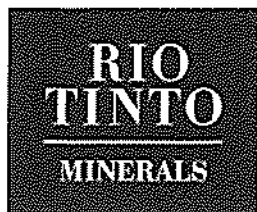
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Ingredient Disodium octaborate tetrahydrate, CAS # 12280-03-4, Reg. No. 1624-125 – Boric Acid, CAS # 10043-35-3, Reg. No. 1624-117 – Cupric hydroxide, CAS # 20427-59-2, Reg. No. 1812-297					
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
OPPTS 830.7860	Solubility	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.7950	Vapor Pressure	456620-01	Genics Inc.	Own	
OPPTS 830.1100	Acute Oral Toxicity	452031-03 456620-02	Genics Inc.	Own	Waiver Requested
OPPTS 830.1200	Acute Dermal Toxicity	452031-03 456620-02	Genics Inc.	Own	Waiver Requested
OPPTS 830.1300	Acute Inhalation Toxicity	452031-03 456620-02	Genics Inc.	Own	Waiver Requested
OPPTS 830.2400	Acute Eye Irritation	452031-03 456620-02	Genics Inc.	Own	Waiver Requested
OPPTS 830.2500	Acute Dermal Irritation	452031-04 456620-02	Genics Inc.	Own	Waiver Requested
OPPTS 830.2600	Skin Sensitization	452031-03 456620-02	Genics Inc.	Own	Waiver Requested
40 CFR 158.640	Product Performance (Efficacy)	447334-01	Genics Inc.	Own	
40 CFR 158.640	Product Performance (Efficacy)	This Submission	Genics Inc.	Own	
Signature: 			Name and Title Zuhair Alkas Registration Agent, USA		Date 03-08-2007 134



August 20, 2007

U.S. EPA
Attn: Adam Heyward
Antimicrobials Division
8th Floor
Potomac Yd. 2777
Arlington, VA 22202

Dear Mr. Heyward,

We originally sent the enclosed letter on August 9th, 2007, however due to an incorrect address UPS returned the letter to us today. Please accept our sincere apologies for the delay in getting this information to you in a timely manner.

Sincerely,

A handwritten signature in cursive script that reads "Ginger Hauser".

Ginger Hauser
Administrative Specialist

Product ingredient source information may be entitled to confidential treatment

RISK ASSIGNMENT FORM
Antimicrobial Division/Regulatory Management Branch II

A

PRODUCT REVIEWER: Adam Heyward					RMB II TEAM <u>34</u>		
Description of Action:					EPA File Symbol/Reg No. 71653-6		
Decision No. <u>377008</u>		Submission No. <u>811428</u>		Fee for Service Action Code:			
FQPA Action Code: 302		Non-FQPA Action Code:		PRIA FEE AMOUNT:			
	DAY	MONTH	YEAR				
APPLICATION DATE	06	June	2007				
EPA PIN DATE	06	June	2007				
DATE PM RECEIVED FROM FRONT END	07	June	2007				
DATE SENT TO SCIENCE <small>(VIVIAN COMPLETES)</small>							
DATE DUE FROM SCIENCE			2007				
FQPA DUE DATE							
Type of Data:	PSB Product Chemistry	PSB Acute Toxicology	PSB Efficacy	RASSB Environmental Fate	RASSB Ecological Effects	RASSB Chronic Toxicology	RASSB Exposure /Residue
Comments:							
ATTACHMENTS: e-LABELING e-CSF(S) e-DATA e-OTHERS							
B	For Arctic Slope Contract Only						
	Contract No.: 0052		ARCTIC SLOPE/MANAGER				
	Final Task: Signature _____ (Total hrs) _____						
C	Reviewer Comments:						
DATE FEE PAID:				RESPONSE CODE: <u>1155</u> RESPONSE DATE: <u>6/7/07</u>			



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

June 7, 2007

Zuhal Alkas
SRS International Corporation
Registration Agent for
Genics Inc.
7700 Leesburg Pike, Suite 208
Falls Church, VA 22043

Subject:	Product Name:	Cobra CuB
	EPA Registration Number:	71653-6
	Application Date:	13-Mar-2007
	Receipt Date:	14-Mar-2007

Dear Ms. Alkas:

This is a follow-up to EPA letter dated May 31, 2007 with respect to the following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. The amendment is acceptable.

Proposed amendment:

- Add the following statement to the label: *"Thickening agents from 0-5% can be added to Genics CuB for application where a thicker product/coating is required."*

General comments:

A stamped copy of the label is enclosed for your records.

Should you have any questions or comments concerning this letter, you may contact me by telephone at 703.308.6422 or by email at heyward.adam@epa.gov.

Sincerely,

Adam Heyward
Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510C)

Enclosure: Stamped labeling

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

READ THE ENTIRE LABEL BEFORE USE.

PRECAUTIONARY STATEMENTS

May be harmful if swallowed. Avoid contact with eyes and skin. May cause eye irritation. Avoid rubbing eyes while working with product. Wash hands thoroughly with soap and water after handling and before eating, drinking or smoking. Store and wash all protective clothing separately from household laundry. Personal protective clothing, normal work clothes (i.e. long pants, shoes, a long sleeved shirt) plus waterproof gloves for all users of product. Do not leave container where children or animals may gain access.

DIRECTIONS FOR USE

Thickening agents form 0-5 % can be added to Genics CuB for applications where a thicker product/coating is required.

Genics CuB may be used on all cellulosic materials including wood, plywood, particle board, paper, oriented strand board (OSB) cardboard, wood composite and foam materials. Apply Genics CuB only to bare wood, plywood, particle board and other cellulosic materials where an intact water repellent barrier, such as paint, stain or sealant is not present. Do not apply to frozen wood.

Dip Treating Logs and Lumber: Stick bundle wood to ensure the solution covers all wood surfaces. Submerge logs and/or lumber in the solution for at least one (1) minute or until all entrapped air has escaped. After dipping, the newly treated wood should be stacked and stored under a tarpaulin or shed roof to slow the drying process and prevent wash off by rainfall, thus improving penetration. Complete penetration may require several weeks to occur, depending upon species and thickness of wood.

Brush/Roller/Spray: Two applications of Genics CuB are normally required for control of decay or insects while only a single application will control mold. Apply Genics CuB solution by brush, roller or spray until wood surface is thoroughly wet, at a rate of approximately 1 litre per 5 square metres of wood surface area. When spraying, apply evenly using a medium or coarse spray at low pressures (1-2 kg/cm²). Thoroughly soak cut ends. Apply a second coat 4 to 24 hours later.

GENICS INC. GENICS CuB

For the preservation and protection of wood and wood composites against fungal decay, mold or insect

CAUTION

FIRST AID

If in Eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first five minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

If on Skin or Clothing: Take off contaminated clothing. Rinse skin immediately for 15-20 minutes. Call poison control center or doctor for treatment advice.

If Inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

If Swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

attack.

ACTIVE INGREDIENTS:

Sodium Octaborate Tetrahydrate.....	9.1%
Boric Acid	0.51%
Copper Hydroxide	0.96%
Other Ingredients	89.4%
TOTAL:	100.00%

EPA Reg. No. 71653-6
US EPA Est. 71653-CAN-01

Net Contents : x Gallons

Genics Inc.
#561 Acheson Rd. 53016 Hwy 60
Acheson, AB T7X 5A7
(780) 962-1000 FAX: (780) 962-1052
1-877-9-GENICS

Pressure Treatment: Pressure Treatment must rigidly adhere to the current specifications of Genics CuB or those of the American Wood Preservers' Association (AWPA) for borates.

Injection: Application may be made by drilling, then injecting the solution into infested areas until refusal occurs. Product may also be applied as a foam by adding 3 to 8 ounces of foam per gallon of solution. Apply foam so as to completely fill the void and contact all surfaces in the void space.

It is important to allow treated material to completely dry (at least 48 hours, depending upon temperature and humidity) before applying any protective finish. The finish or topcoat should be applied within two weeks of treatment if the treated product is exposed to rain or running water. Although a wide variety of paints and stains have been successfully used over Genics CuB treated wood, it is always a good idea to coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

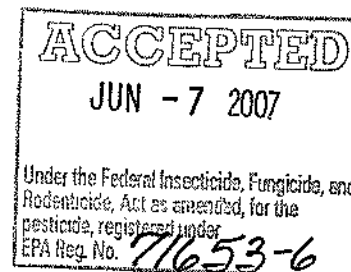
STORAGE AND DISPOSAL

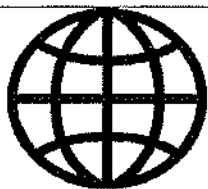
Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool, dry place inaccessible to children and pets and away from food or feed. Do not freeze.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.





SRS INTERNATIONAL CORPORATION

7700 LEESBURG PIKE, SUITE 208

FALLS CHURCH, VA 22043

TEL.: 703-821-0157 / FAX: 703-821-2299

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Mr. Adam Heyward, PM 34
U.S. Environmental Protection Agency
Regulatory Management Branch II
Antimicrobials Division (7510P)
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

March 13, 2007

Attention: Mr. Adam Heyward,
Product Manager 34
Insecticide Branch
Registration Division 7505

Subject: Label Amendment for Cobra CuB
EPA Registration No. 71653-6

Dear Mr. Heyward:

On behalf of our client, Genics Inc., we are submitting a label amendment package. Amendment to the Master Label in summary:

- Add "Thickening agents from 0-5% can be added to Genics CuB for applications where a thicker product / coating is required." phrase under direction for use.

In support of this registration amendment, please find the following attached:

EPA Form 8570-1: Application for Amendment

Five copies of revised labeling

Please contact me at (703) 821 3255, (703) 821 0157 for voicemail, or
main@srsinternational.com for email with any questions regarding this registration amendment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Zuhai Aikas', with a large, stylized circular flourish on the left side.

Zuhai Aikas
Registration Agent for Genics Inc.



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

United States Environmental Protection Agency Washington, DC 20460		<input type="checkbox"/> Registration <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number: 7165-6		2. EPA Product Manager: Adam Heyward	
4. Company/Product (Name) Genics CuB		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
5. Name and Address of Applicant (Include ZIP Code) Genics Inc. #561 Acheson Road, 53016 Hwy 60 Acheson, AB T7X5A7, Canada <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	
Section - II			
<input checked="" type="checkbox"/> Amendment - Explain below.		<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	
<input type="checkbox"/> Resubmission in response to Agency letter dated _____		<input type="checkbox"/> "Me Too" Application.	
<input type="checkbox"/> Notification - Explain below.		<input type="checkbox"/> Other - Explain below.	
Explanation: Use additional page(s) if necessary. (For section I and Section II.) Add following statement on the label "Thickening agents from 0-5% can be added to Genics CuB for applications where a thicker product/coating is required."			
Section - III			
1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt No. per container	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 and 5 gallon pails	
5. Location of Label Directions <input type="checkbox"/> _____		5. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____	
Section - IV			
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Zuhal Alkas		Title Registration Agent for Genics Inc.	
		Telephone No. (Include Area Code) (703) 821 0157	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			6. Date Application Received (Stamped)
2. Signature 		3. Title Registration Agent for Genics Inc.	
4. Typed Name Zuhal Alkas		5. Date 03.13.2007	

8A-3-1

MATERIAL TO BE ADDED TO JACKET

REG # 71653-6Description: _____

check all that apply		
<input checked="" type="checkbox"/>	new stamped accepted label	Send to CSC
<input checked="" type="checkbox"/>	new CSF	
<input type="checkbox"/>	notification	

Instructions:

Attach this sheet to the top of **ALL** material sent to the file room (both loose paper and new material in jackets). This sheet will be imaged; a clear description will aid in finding material in the e-jacket. Remove staples from all material. If returning loose paper then hold together with a binder or paper clip. CSFs should be placed in the CSF folder (if returning jacket) or covered with a red CBI sheet (if returning loose paper). Material to be returned to file room should be place in the appropriate bin.

Reviewer's Name:

Stacey Grigby
3056440

Date:

10/30/07

Phone:

Division:

AD

RISK ASSIGNMENT FORM
Antimicrobial Division/Regulatory Management Branch II

A

PRODUCT REVIEWER: Stacey Grigsby					RMB II TEAM 34		
Description of Action:					EPA File Symbol/Reg No. 71653-6		
Decision No. <i>815623</i>		Submission No. <i>383001</i>		Fee for Service Action Code:			
FQPA Action Code: 362		Non-FQPA Action Code:		PRIA FEE AMOUNT:			
	DAY	MONTH	YEAR				
APPLICATION DATE	31	Jul	2007				
EPA PIN DATE	01	Aug	2007				
DATE RISK MANAGER RECEIVED FROM FRONT END	27	Aug	2007				
DATE SENT TO SCIENCE <small>IVIVIAN COMPLETESI</small>			2007				
PM DUE DATE			2007				
NEGOTIATED DUE DATE			2007				
Type of Data:	PSB Product Chemistry XXXXX	PSB Acute Toxicology	PSB Efficacy	RASSB Environmental Fate	RASSB Ecological Effects	RASSB Chronic Toxicology	RASSB Exposure /Residue
Comments:							
ATTACHMENTS: e-LABELING e-CSF(S) e-DATA e-OTHERS							
B	For Arctic Slope Contract Only						
	Contract No.: 0052		ARCTIC SLOPE/MANAGER				
	Final Task: Signature _____ (Total hrs)						
C	Reviewer Comments:						
DATE FEE PAID:				RESPONSE CODE: <i>1155</i> RESPONSE DATE: <i>10/30/07</i>			



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

October 30, 2007

Zuhal Alkas
Agent for Genics Inc.
SRS International Corporation
7700 Leesburg Pike / Suite 208
Falls Church, Va 22043

Subject: **Cobra Cub**
EPA Registration No. 71653-6
Application Date: July 31, 2007
Receipt Date: August 1, 2007

Dear Mr. Alkas:

The following label amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable.

Proposed Amendment:

- Revised Basic Confidential Statement of Formula (CSF) and label revision.

General Comment:

The Basic CSF dated October 20, 2007 supersedes previous CSFs.

A copy of the Basic CSF has been inserted into your file for future reference.

Should you have any questions or comments concerning this letter, please contact me via email at heyward.adam@epa.gov or via telephone at (703) 308.6422, or Stacey Grigsby via email at grigsby.stacey@epa.gov or via telephone at (703) 305-6440.

Sincerely,

A handwritten signature in black ink, which appears to read "Stacey Grigsby", is written over the typed name "Adam Heyward".

Adam Heyward
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

READ THE ENTIRE LABEL BEFORE USE.

PRECAUTIONARY STATEMENTS

May be harmful if swallowed. Avoid contact with eyes and skin. May cause eye irritation. Avoid rubbing eyes while working with product. Wash hands thoroughly with soap and water after handling and before eating, drinking or smoking. Store and wash all protective clothing separately from household laundry. Personal protective clothing, normal work clothes (i.e. long pants, shoes, a long sleeved shirt) plus waterproof gloves for all users of product. Do not leave container where children or animals may gain access.

DIRECTIONS FOR USE

Thickening agents form 0-5 % can be added to Genics CuB for applications where a thicker product/coating is required.

Genics CuB may be used on all cellulosic materials including wood, plywood, particle board, paper, oriented strand board (OSB) cardboard, wood composite and foam materials. Apply Genics CuB only to bare wood, plywood, particle board and other cellulosic materials where an intact water repellent barrier, such as paint, stain or sealant is not present. Do not apply to frozen wood.

Dip Treating Logs and Lumber: Sticker bundle wood to ensure the solution covers all wood surfaces. Submerge logs and/or lumber in the solution for at least one (1) minute or until all entrapped air has escaped. After dipping, the newly treated wood should be stacked and stored under a tarpaulin or shed roof to slow the drying process and prevent wash off by rainfall, thus improving penetration. Complete penetration may require several weeks to occur, depending upon species and thickness of wood.

Brush/Roller/Spray: Two applications of Genics CuB are normally required for control of decay or insects while only a single application will control mold. Apply Genics CuB solution by brush, roller or spray until wood surface is thoroughly wet, at a rate of approximately 1 litre per 5 square metres of wood surface area. When spraying, apply evenly using a medium or coarse spray at low pressures (1-2 kg/cm²). Thoroughly soak cut ends. Apply a second coat 4 to 24 hours later.

GENICS INC. GENICS CuB

For the preservation and protection of wood and wood composites against fungal decay, mold or insect

CAUTION

FIRST AID

If in Eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first five minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

If on Skin or Clothing: Take off contaminated clothing. Rinse skin immediately for 15-20 minutes. Call poison control center or doctor for treatment advice.

If Inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

If Swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

attack.

ACTIVE INGREDIENTS:

Disodium Octaborate Tetrahydrate.....	9.1%
Boric Acid	0.89%
Copper Hydroxide	0.99%
Other Ingredients	89.02%
TOTAL:	100.00%

EPA Reg. No. 71653-6
US EPA Est. 71653-CAN-01

Net Contents : x Gallons

Genics Inc.
#561 Acheson Rd. 53016 Hwy 60
Acheson, AB T7X 5A7
(780) 962-1000 FAX: (780) 962-1052
1-877-9-GENICS

Pressure Treatment: Pressure Treatment must rigidly adhere to the current specifications of Genics CuB or those of the American Wood Preservers' Association (AWPA) for borates.

Injection: Application may be made by drilling, then injecting the solution into infested areas until refusal occurs. Product may also be applied as a foam by adding 3 to 8 ounces of foam per gallon of solution. Apply foam so as to completely fill the void and contact all surfaces in the void space.

It is important to allow treated material to completely dry (at least 48 hours, depending upon temperature and humidity) before applying any protective finish. The finish or topcoat should be applied within two weeks of treatment if the treated product is exposed to rain or running water. Although a wide variety of paints and stains have been successfully used over Genics CuB treated wood, it is always a good idea to coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

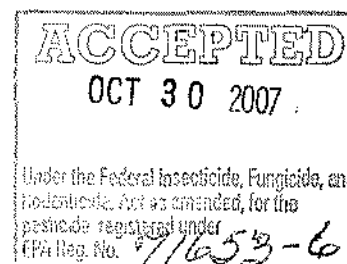
STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool, dry place inaccessible to children and pets and away from food or feed. Do not freeze.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460



OFFICE OF
PREVENTION, PESTICIDES
AND
TOXIC SUBSTANCES
Antimicrobial Division

10/26/07

DP BARCODE: 343108

MRID: None

SUBJECT GENICS CUB

REG. NO. OR FILE SYMBOL: 71653-6

DOCUMENT TYPE: Product Chemistry Review

Manufacturing-use ☐ OR End-use Product ☒

INGREDIENTS (PC Codes) (011107),(011001), (023401)

CAS Number: (12008-41-2) (10043-35-3) (20427-59-2)

TEST LAB: None

SUBMITTER: GENICS, INC.

GUIDELINE: None

COMMODITIES: Formulation Change; Technical

REVIEWER: Krishna K. Deb ORGANIZATION: AD

APPROVER: Karen P. Hicks APPROVED DATE:

COMMENT:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460



OFFICE OF
PREVENTION, PESTICIDES
AND
TOXIC SUBSTANCES
Antimicrobial Division

08/03/2007

TO: Adam Hayward / Stracy Grigsby
PM Team 34

FROM: Krishna K. Deb, Chemist
Product Science Branch, CT Team
Antimicrobial Division (7510P)

THRU: Karen P. Hicks, CT Team Leader
Product Science Branch
Antimicrobial Division (7510P)

THRU: Michele E. Wingfield, Chief
Product Science Branch
Antimicrobial Division (7510P)

APPLICANT GENICS, INC.
Action code: 362
Due date: 10/30/2007

Product Formulation
Active Ingredient(s)

Disodium Octaborate Tetrahydrate -----	9.10 %
Boric Acid-----	0.89 %
Copper Hydroxide-----	0.99 %
Other Ingredients -----	89.02 %
TOTAL-----	100.00 %

BACKGROUND:

The Genics, Inc. , is submitting an amendment to update the nominal concentrations on the current Basic CSF and submits an updated label which has the same nominal concentration stated in the updated CSF.

FINDINGS:

1. Pesticide Application Form, EPA Form 8570-1.
2. Basic amended CSF (2 copies) meets certified limits, and is acceptable.
3. The source for the active ingredient utilized in Basic CSF is EPA registered.
4. All the active and inert ingredients used in this amendment are acceptable for use in this and other pesticide formulations.

CONCLUSION:

This amendment, which requested approval to update the Basic CSF having the same nominal concentrations stated in the updated label under the EPA Reg. No. 71653-6, is acceptable.



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Office of Pesticide Programs

July 31, 2007

Document Processing Desk

Room 266A

One Potomac Yard

2777 S Crystal Drive

Arlington, VA 22202

Attention: Mr. Adam Heyward,
Product Manager 34
Insecticide Branch
Registration Division 7505

Subject: Notification for Cobra CuB
EPA Registration No. 71653-6

Dear Mr. Heyward:

On behalf of our client, Genics Inc., we submitted a notification for EPA Product No. 71653-6. After reviewing the current Confidential Statement of Formula (CSF) and label, we found out that label and nominal concentration for active ingredients in the current CSF are not in agreement. Genics Inc. would like to update the nominal concentrations on the current CSF and submit an updated label which has same nominal concentrations stated in the updated CSF. In support of this notification please find the following attached:

1. EPA Form 8570-1: Application for Notification
2. EPA Form 8570-27: Formulator's Exemption Statement
3. Current CSF
4. Updated CSF
5. One copy of current label
6. Five copies of revised label

Sincerely,

Zuhal Alkas

[illegible]



United States
Environmental Protection Agency
Washington, DC 20460

Registration
Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 71653	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Genics Inc. / Genics CuB	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Genics Inc. #561 Acheson Road, 53016 Hwy 60 Acheson, AB T7X5A7, Canada <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Revision on Confidential Statement Formula and label

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 and 5 gallon pails		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Zuhal Alkas	Title Registration Agent for Genics Inc.	Telephone No. (Include Area Code) (703) 821-0157
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Registration Agent for Genics Inc.	
4. Typed Name Zuhal Alkas	5. Date 07/31/07	



Zuhal Alkas
<main@srsinternational.com>

10/26/2007 11:47 AM

To Krishna Deb/DC/USEPA/US@EPA

cc

bcc

Subject Genics CuB EPA Registration No. 71653-6.

Mr. Deb,

Please find attached is the Confidential statement of Formula for
Genics CuB EPA Registration No. 71653-6.

Regards,

Zuhal

Zuhal Alkas
Associate
SRS International Corporation
Phone: (703) 821 3255
Voicemail: (703) 821 0157



Fax: (703) 821 2299 Revised Signed CSF 10-26-07.jpg



United States
Environmental Protection Agency
Washington, DC 20460
Formulator's Exemption Statement
(40 CFR 152.85)

Applicant's Name and Address Genics Inc. 561 Acheson Road 53016 Hwy 60 Acheson, AB T7X5A7, Canada	EPA File Symbol/Registration Number 71653-6
	Product Name Genics CuB
	Date of Confidential Statement of Formula (EPA Form 8570-4) 07/21/2005

As an authorized representative of the applicant for registration of the product identified above, I certify that:

(1) This product contains the following active ingredient(s):

CobraCrush MDT [to provide: disodium octaborate (CAS# 12280-03-04), boric acid (CAS# 10043-35-3), copper hydroxide (CAS# 20427-59-2)]

(2) Of these, each active ingredient listed in paragraph (4) is present solely as the result of the use of that active ingredient in the manufacturing, formulation or repackaging another product which contains that active ingredient which is registered under FIFRA Section 3, is purchased by us from another person and meets the requirements of 40 CFR section 158.50(e)(2) or (3).


(3) Indicate by checking (A) or (B) below which paragraph applies:

☐ (A) An accurate Confidential Statement of Formula (EPA FORM 8570-4) for the above identified product is attached to this statement. That formula statement indicates, by company name, registration number, and product name, the source of the active ingredient(s) listed in paragraph (1).

OR

☒ (B) The Confidential Statement of Formula (CSF)(EPA Form 8570-4) referenced above and on file with the EPA is complete, current, an accurate and contains the information required on the current CSF.

(4) The following active ingredients in this product qualify for the formulator's exemption.

Source		
Active Ingredient	Product Name	Registration Number
CobraCrush MDT [to provide: disodium octaborate, boric acid, copper hydroxide]	CobraCrush MDT	71653-4
Signature 	Name and Title Zuhail Alkas, Registration Agent	Date 07/31/2007

EPA Form 8570-27 (Rev. 06-2004)

Copy 1 - EPA
Copy 2 - Applicant copy

Material to be added to a Mini-Jacket
(in the case where an e-Jacket exists)

Reg. No. 71653-6

Send to SIG: check box ☒

This material is:

New stamped-accepted label

New CSF

Notification

Final Printed Label

Other: Add to file

Instructions: Attach this notice on top of the material. It must be clipped all together and there should be NO STAPLES in the material. Then give the material with this coversheet to staff in the Information Services Center (Room 230).

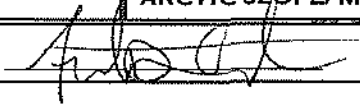
Reviewer's Name: Aster Graham

Phone: 703 347 8737 Division: AD

Date: 5/31/07

RISK ASSIGNMENT FORM
Antimicrobial Division/Regulatory Management Branch II

A

PRODUCT REVIEWER: ASTER GRAHN					RMB II TEAM <u>34</u>		
Description of Action:					EPA File Symbol/Reg No. 71653-6		
Decision No. <u>377008</u>		Submission No. <u>806893</u>		Fee for Service Action Code:			
FQPA Action Code: 302		Non-FQPA Action Code:		PRIA FEE AMOUNT:			
	DAY	MONTH	YEAR				
APPLICATION DATE	13	March	2007				
EPA PIN DATE	14	March	2007				
DATE PM RECEIVED FROM FRONT END	20	March	2007				
DATE SENT TO SCIENCE <small>(VIVIAN COMPLETES)</small>							
DATE RECEIVED FROM SCIENCE			2007				
DATE DUE TO PM							
Type of Data:	PSB Product Chemistry	PSB Acute Toxicology	PSB Efficacy	RASSB Environmental Fate	RASSB Ecological Effects	RASSB Chronic Toxicology	RASSB Exposure /Residue
COMMENTS:							
ATTACHMENTS: e-LABELING e-CSF(S) e-DATA e-OTHERS							
B	For Arctic Slope Contract Only						
	Contract No.: 0052		ARCTIC SLOPE/MANAGER				
	Final Task: Signature 		<u>3</u> (Total hrs)				
C	Reviewer Comments:						
DATE FEE PAID:				RESPONSE CODE: <u>1140</u> RESPONSE DATE: <u>5/31/07</u>			

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

May 31, 2007

Zuhal Alkas
Registration Agent for Genics, Inc.
SRS International Corporation
7700 Leesburg Pike, Ste. 208
Falls Church, VA 22043

Subject: Genics CuB
EPA Registration No.: 71653-6
Application Date: March 13, 2007
Receipt Date: March 14, 2007

Dear Mr. Alkas,

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is not acceptable for the following reasons:

1. Delete the claim for termites and its instructions. The Data submitted to supplement the claims for termites did not pass the front-end screening for compliance with PR Notice 86-5. Refer to EPA letters dated March 16 and 21, 2007.
2. Delete the claim and instructions for spraying/treating overhead interior areas of homes, apartment buildings, etc. The claim is too vague and does not specify reasons for spraying the overhead interior areas of the subject sites.

Should you have any questions or comments concerning this letter, please contact me by telephone at (703) 308-6422 or email at heyward.adam@epa.gov.

Sincerely,



Adam Heyward
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

CONCURRENCES							
SYMBOL	7510P						
IRNAME	Genics						
DATE	5/31/07						157



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

March 16, 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

ZUHAL ALKAS
SRS INTERNATIONAL CORP.
GENICS INC.
7700 LEESBURG PIKE, SUITE 208
FALLS CHURCH, VA 22043-

PRODUCT NAME: GENICS CUB
COMPANY NAME: GENICS INC.
EPA FILE SYMBOL: 71653-6
EPA RECEIPT DATE: 03/14/07

SUBJECT: RECEIPT OF AMENDMENT

DEAR REGISTRANT:

The Office of Pesticide Programs has received your application for an amendment and it has passed an administrative screen for completeness.

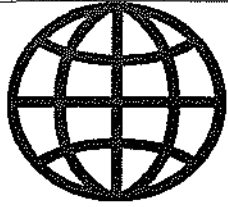
During the initial screen we determined that the application appears to qualify for fast track review. The package will now be forwarded to the Product Manager for review to determine its acceptability for fast track status.

If you have any questions, please contact Antimicrobials Division, Risk Management Team 34, at (703) 308-6422.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie", is positioned above the typed name.

Front End Processing Staff
Information Services Branch
Information Technology & Resources Management Division



SRS INTERNATIONAL CORPORATION

7700 LEESBURG PIKE, SUITE 208

FALLS CHURCH, VA 22043

TEL.: 703-821-0157 / FAX: 703-821-2299

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Mr. Adam Heyward, PM 34
U.S. Environmental Protection Agency
Regulatory Management Branch II
Antimicrobials Division (7510P)
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

March 13, 2007

Attention: Mr. Adam Heyward,
Product Manager 34
Insecticide Branch
Registration Division 7505

Subject: Label Amendment for Cobra CuB
EPA Registration No. 71653-6

Dear Mr. Heyward:

On behalf of our client, Genics Inc., we are submitting a label amendment package. Amendment to the Master Label in summary:

- Add "Thickening agents from 0-5% can be added to Genics CuB for applications where a thicker product / coating is required." phrase under direction for use.

In support of this registration amendment, please find the following attached:

EPA Form 8570-1: Application for Amendment

Five copies of revised labeling

[illegible]



893

United States
Environmental Protection Agency
Washington, DC 20460

Registration
☒ Amendment
☐ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number

7165-6 71653-6

2. EPA Product Manager

Adam Heyward

3. Proposed Classification

☒ None ☐ Restricted

4. Company/Product (Name)

Genics CuB

PM#

34

5. Name and Address of Applicant (Include ZIP Code)

Genics Inc.

#561 Acheson Road, 53016 Hwy 60

Acheson, AB T7X5A7, Canada

☐ Check if this is a new address

6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to:

EPA Reg. No. _____

Product Name _____

Section - II

☒ Amendment - Explain below.☐ Resubmission in response to Agency letter dated _____☐ Notification - Explain below.☐ Final printed labels in response to Agency letter dated _____☐ "Ma Too" Application.☐ Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Add following statement on the label "Thickening agents from 0-5% can be added to Genics CuB for applications where a thicker product/coating is required."

Section - III

1. Material This Product Will Be Packaged in:

Child-Resistant Packaging

Yes

XXX No

Unit Packaging

Yes

XX No

Water Soluble Packaging

Yes

X No

2. Type of Container

XXXX

Metal

Plastic

Glass

Paper

Other (Specify) _____

* Certification must be submitted

If "Yes"

Unit Packaging wgt.

No. per

container

If "Yes"

Package wgt

No. per

container

3. Location of Net Contents Information

X Label

☐ Container

4. Size(s) Retail Container

1 and 5 gallon pails

5. Location of Label Directions

6. Manner in Which Label is Affixed to Product

XXXX Lithograph
Paper glued
Stenciled☐ Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name

Zuhal Alkas

Title

Registration Agent for Genics Inc.

Telephone No. (Include Area Code)

(703) 821 0157

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

2. Signature

3. Title

Registration Agent for Genics Inc.

4. Typed Name

Zuhal Alkas

5. Date

03.13.2007

6. Date Application Received

(Stamped)

161



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
1200 Pennsylvania Avenue, N.W.
WASHINGTON, D.C. 20460

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Certification with Respect to Citation of Data

Applicant's/Registrant's Name, Address, and Telephone Number Genics Inc., 561 Acheson Road, 53016 Hwy 60, Acheson, AB Canada T7X5A7	EPA Registration Number/File Symbol 71653-6
Active Ingredient(s) and/or representative test compound(s) disodium oclabore, boric acid, copper hydroxide	Date 03-13-2007
General Use Pattern(s) (list all those claimed for this product using 40 CFR Part 158) Industrial - nonfood (fungicide / insecticide)	Product Name Genics CuB

NOTE: If your product is a 100% repackaging of another purchased EPA-registered product labeled for all the same uses on your label, you do not need to submit this form. You must submit the Formulator's Exemption Statement (EPA Form 8570-27).

☐ I am responding to a Data-Call-In Notice, and have included with this form a list of companies sent offers of compensation (the Data Matrix form should be used for this purpose).

SECTION I: METHOD OF DATA SUPPORT (Check one method only)

☐ I am using the cite-all method of support, and have included with this form a list of companies sent offers of compensation (the Data Matrix form should be used for this purpose).

☒ I am using the selective method of support (or cite-all option under the selective method), and have included with this form a completed list of data requirements (the Data Matrix form must be used).

SECTION II: GENERAL OFFER TO PAY

[Required if using the cite-all method or when using the cite-all option under the selective method to satisfy one or more data requirements]

☐ I hereby offer and agree to pay compensation, to other persons, with regard to the approval of this application, to the extent required by FIFRA.

SECTION III: CERTIFICATION

I certify that this application for registration, this form for reregistration, or this Data-Call-In response is supported by all data submitted or cited in the application for registration, the form for reregistration, or the Data-Call-In response. In addition, if the cite-all option or cite-all option under the selective method is indicated in Section I, this application is supported by all data in the Agency's files that (1) concern the properties or effects of this product or an identical or substantially similar product, or one or more of the ingredients in this product; and (2) is a type of data that would be required to be submitted under the data requirements in effect on the date of approval of this application if the application sought the initial registration of a product of identical or similar composition and uses.

I certify that for each exclusive use study cited in support of this registration or reregistration, that I am the original data submitter or that I have obtained the written permission of the original data submitter to cite that study.

I certify that for each study cited in support of this registration or reregistration that is not an exclusive use study, either: (a) I am the original data submitter; (b) I have obtained the permission of the original data submitter to use the study in support of this application; (c) all periods of eligibility for compensation have expired for the study; (d) the study is in the public literature; or (e) I have notified in writing the company that submitted the study and have offered (i) to pay compensation to the extent required by sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA; and (ii) to commence negotiations to determine the amount and terms of compensation, if any, to be paid for the use of the study.

I certify that in all instances where an offer of compensation is required, copies of all offers to pay compensation and evidence of their delivery in accordance with sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA are available and will be submitted to the Agency upon request. Should I fail to produce such evidence to the Agency upon request, I understand that the Agency may initiate action to deny, cancel or suspend the registration of my product in conformity with FIFRA.

I certify that the statements I have made on this form and all attachments to it are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Signature 	Date 03.14.07	Typed or Printed Name and Title Zuhair Alkas, Registration Agent for Genics Inc.
---	------------------	---

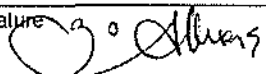
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401 M Street, S.W.
WASHINGTON, D.C. 20460

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DATA MATRIX

Date 03-08-2007	EPA Reg No./File Symbol 71653-6	Page 1 of 3
Applicant's/Registrant's Name & Address: Genics Inc. 561 Acheson Rd. - 53016 Hwy 60; Acheson Industrial Park Spruce Grove, AB T7X 3G7		Product: Genics™ CuB

Ingredient Disodium oclaborate tetrahydrate, CAS # 12280-03-4, Reg. No. 1624-125 - Boric Acid, CAS # 10043-35-3, Reg. No. 1624-117 - Cupric hydroxide, CAS # 20427-59-2, Reg. No. 1812-297

Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
OPPTS 830.1550	Product Identity	456620-01	Genics Inc.	Own	
OPPTS 830.1600	Description of materials used to produce the product	456620-01	Genics Inc.	Own	
OPPTS 830.1620	Manufacturing Process	N/A		N/A	
OPPTS 830.1650	Formulation Process	456620-01	Genics Inc.	Own	
OPPTS 830.1650	Formulation Process	452031-01	Genics Inc.	Own	
OPPTS 830.1670	Discussion of Formation of Impurities	456620-01	Genics Inc.	Own	
OPPTS 830.1670	Discussion of Formation of Impurities	452031-01	Genics Inc.	Own	
OPPTS 830.1700	Preliminary Analysis	456620-01	Genics Inc.	Own	
OPPTS 830.1750	Certification of Limits	456620-01	Genics Inc.	Own	
OPPTS 830.1800	Enforcement Analytical Method	456620-01	Genics Inc.	Own	
OPPTS 830.1800	Enforcement Analytical Method	452717-01	Genics Inc.	Own	
OPPTS 830.6302	Color	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.6303	Physical State	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.6404	Odor	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.6313	Stability	456620-01	Genics Inc.	Own	Waiver Requested
Signature 			Name and Title Zuhair Alkas Registration Agent, USA		Date 03-08-2007

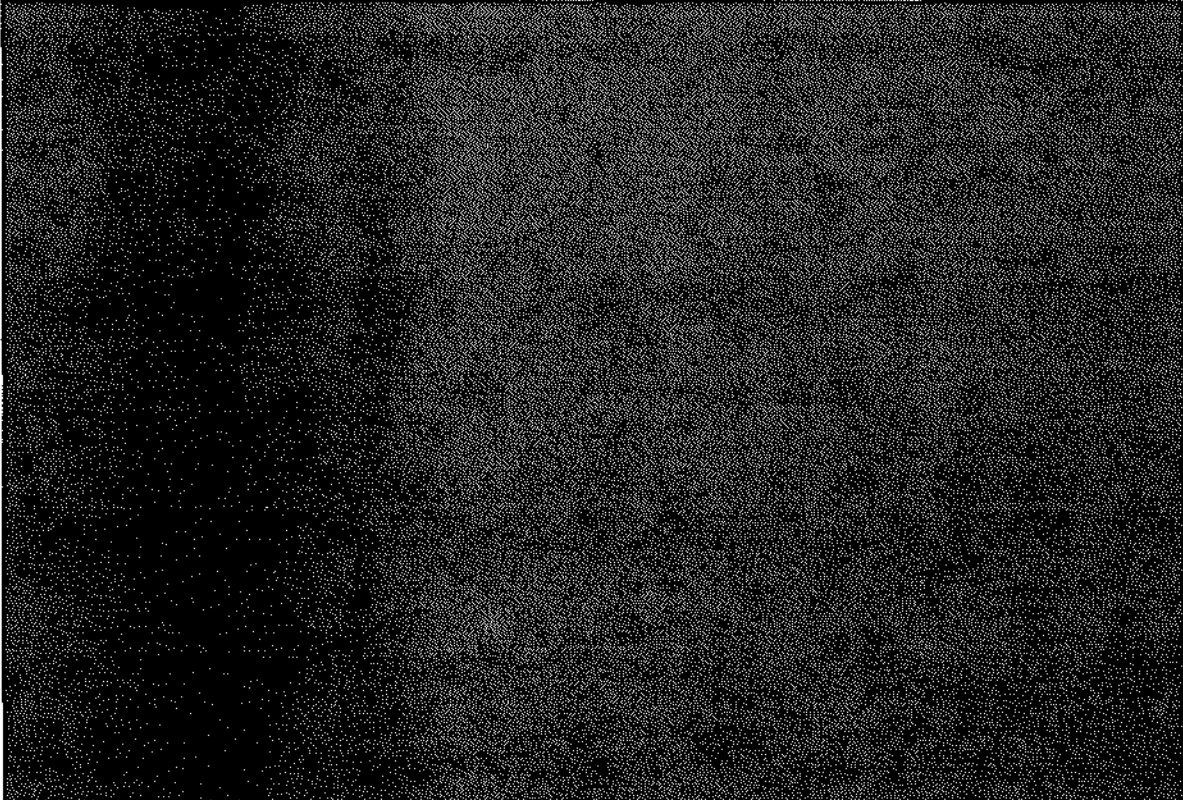

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Form Approved OMB No. 2070-0060

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DATA MATRIX

Date 03-08-2007	EPA Reg No./File Symbol 71653-6	Page 1 of 3
Applicant's/Registrant's Name & Address Genics Inc. 561 Acheson Rd. - 53016 Hwy 60; Acheson Industrial Park Spruce Grove, AB T7X 3G7	Product: Genics™ CuB	
Ingredient Disodium octaborate tetrahydrate, CAS # 12280-03-4, Reg. No. 1624-125 - Boric Acid, CAS # 10043-35-3, Reg. No. 1624-117 - Cupric hydroxide, CAS # 20427-59-2, Reg. No. 1812-297		

Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
			Genics Inc.	Own	
			Genics Inc.	Own	
				N/A	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
Signature 				Name and Title Zuhair Alkas Registration Agent	Date 03-08-2007

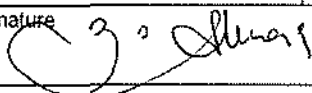
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DATA MATRIX

Date 03-08-2007	EPA Reg No./File Symbol 71653-6	Page 2 of 3
Applicant's/Registrant's Name & Address: Genics Inc. 561 Acheson Rd. - 53016 Hwy 60; Acheson Industrial Park Spruce Grove, AB T7X 3G7		Product: Genics™ CuB

Ingredient Disodium octaborate tetrahydrate, CAS # 12280-03-4, Reg. No. 1624-125 - Boric Acid, CAS # 10043-35-3, Reg. No. 1624-117 - Cupric hydroxide, CAS # 20427-59-2, Reg. No. 1812-297


Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
OPPTS 830.6314	Oxidizing / Reducing: chemical incompatibility	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.6315	Flammability	456620-01	Genics Inc.	N/A	
OPPTS 830.6316	Explosibility	456620-01	Genics Inc.	N/A	
OPPTS 830.6317	Storage Stability	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.6318	Viscosity	456620-01	Genics Inc.	N/A	
OPPTS 830.6319	Miscibility	456620-01	Genics Inc.	N/A	
OPPTS 830.6320	Corrosion Characteristics	456620-01	Genics Inc.	Own	
OPPTS 830.6321	Dielectric Breakdown Voltage	456620-01	Genics Inc.	N/A	
OPPTS 830.7000	pH	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.7500	UV/Vis Spectra	455295-01	Genics Inc.	Own	
OPPTS 830.7200	Melting Point	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.7220	Boiling Point	456620-01	Genics Inc.	N/A	
OPPTS 830.7300	Density	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.7370	Dissociation Constant	456620-01	Genics Inc.	Own	
OPPTS 830.7520	Particle Size	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.7550	Octanol / Water partition coefficient	456620-01	Genics Inc.	N/A	
Signature 	Name and Title Zuhair Alkas Registration Agent, USA			Date 03-08-2007	

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DATA MATRIX

Date 03-08-2007	EPA Erg No./File Symbol 71653-6	Page 2 of 3
Applicant's/Registrant's Name & Address: Genics Inc. 561 Acheson Rd. - 530 f6 Hwy 60; Acheson Industrial Park Spruce Grove, AB T7X 3G7		Product: Genics™ CuB
Ingredient Disodium octaborate tetrahydrate, CAS # 12280-03-4, Reg. No. f624-125 - Boric Acid, CAS # 10043-35-3, Reg. No. f624-117 - Cupric hydroxide, CAS # 20427-59-2, Reg. No. 1812-297		

Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
			Genics Inc.	Own	
			Genics Inc.	N/A	
			Genics Inc.	N/A	
			Genics Inc.	Own	
			Genics Inc.	N/A	
			Genics Inc.	N/A	
			Genics Inc.	Own	
			Genics Inc.	N/A	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	N/A	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	N/A	
Signature 			Name and Title Zuhair Alkas Registration Agent		Date 03-08-2007

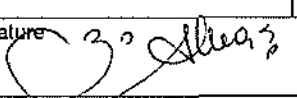
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WASHINGTON, D.C. 20460

Form Approved OMB No. 2070-0060

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DATA MATRIX

Date 03-08-2007	EPA Reg No./File Symbol 71653-6	Page 3 of 3
Applicant's/Registrant's Name & Address: Genics Inc. 561 Acheson Rd. - 53016 Hwy 60; Acheson Industrial Park Spruce Grove, AB T7X 3G7		Product: Genics™ CuB
Ingredient Disodium octaborate tetrahydrate, CAS # 12280-03-4, Reg. No. 1624-125 - Boric Acid, CAS # 10043-35-3, Reg. No. 1624-117 - Cupric hydroxide, CAS # 20427-59-2, Reg. No. 1812-297		

Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
OPPTS 830.7860	Solubility	456620-01	Genics Inc.	Own	Waiver Requested
OPPTS 830.7950	Vapor Pressure	456620-01	Genics Inc.	Own	
OPPTS 830.1100	Acute Oral Toxicity	452031-03 456620-02	Genics Inc.	Own	Waiver Requested
OPPTS 830.1200	Acute Dermal Toxicity	452031-03 456620-02	Genics Inc.	Own	Waiver Requested
OPPTS 830.1300	Acute Inhalation Toxicity	452031-03 456620-02	Genics Inc.	Own	Waiver Requested
OPPTS 830.2400	Acute Eye Irritation	452031-03 456620-02	Genics Inc.	Own	Waiver Requested
OPPTS 830.2500	Acute Dermal Irritation	452031-04 456620-02	Genics Inc.	Own	Waiver Requested
OPPTS 830.2600	Skin Sensitization	452031-03 456620-02	Genics Inc.	Own	Waiver Requested
40 CFR 158.640	Product Performance (Efficacy)	447334-01	Genics Inc.	Own	
40 CFR 158.640	Product Performance (Efficacy)	This Submission	Genics Inc.	Own	
Signature 			Name and Title Zuhair Alkas Registration Agent, USA		Date 03-08-2007

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

401 M Street, S.W.
WASHINGTON, D.C. 20460

Paperwork Reduction Act Notice: The public reporting burden for this collection of information is estimated to average 0.25 hours per response for registration activities and 0.25 hours per response for reregistration and special review activities, including time for reading the instructions and completing the necessary forms. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to: Director, OPPE Information Management Division (2137), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460. Do not send the form to this address.

DATA MATRIX

Date 03-08-2007	EPA Reg No./File Symbol 71653-6	Page 3 of 3
Applicant's/Registrant's Name & Address: Genics Inc. 561 Acheson Rd. - 53016 Hwy 60; Acheson Industrial Park Spruce Grove, AB T7X 3G7		Product: Genics™ CuB
Ingredient Disodium octaborate tetrahydrate, CAS # 12280-03-4, Reg. No. 1624-125 - Boric Acid, CAS # 10043-35-3, Reg. No. 1624-117 - Cupric hydroxide, CAS # 20427-59-2, Reg. No. 1812-297		

Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Genics Inc.	Own	
			Signature	Name and Title Zuhair Alkas Registration Agent	

GENICS INC.

Genics CuB

For the preservation and protection of wood, wood composites, or any weatherable product susceptible to fungal decay, mold, termite or insect attack.

For Interior and Exterior Use

READY TO USE; NO DILUTION REQUIRED

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

If in Eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first five minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

If on Skin or Clothing: Take off contaminated clothing. Rinse skin immediately for 15-20 minutes. Call poison control center or doctor for treatment advice.

If Inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

If Swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

ACTIVE INGREDIENTS:

Disodium Octaborate	9.1%
Boric Acid	0.51%
Copper Hydroxide	0.96%
Inerts	<u>89.4%</u>
TOTAL:	100 %

PRODUCT PROVIDES IN XX BORIC ACID EQUIVALENTS

EPA Reg. No. 71653-6

US EPA Est. 71653-CAN-01

Net Contents : x Gallons

Genics Inc.

#561 Acheson Rd. 53016 Hwy 60

Acheson, AB T7X 5A7

(780) 962-1000 FAX: (780) 962-1052

1-877-9-GENICS

**It is a violation of Federal Law to use this product
in a manner inconsistent with its labeling.**

READ THE ENTIRE LABEL BEFORE USE.

PRECAUTIONARY STATEMENTS

May be harmful if swallowed. Avoid contact with eyes and skin. May cause eye irritation. Avoid rubbing eyes while working with product. Wash hands thoroughly with soap and water after handling and before eating, drinking or smoking. Store and wash all protective clothing separately from household laundry. Personal protective clothing, normal work clothes (i.e. long pants, shoes, a long sleeved shirt) plus waterproof gloves for all users of product. Do not leave container where children or animals may gain access.

GENERAL INFORMATION

When spraying overhead interior areas of homes, apartment buildings, etc., cover or protect all surfaces below the area being sprayed with plastic sheeting material that can be disposed of if contamination from dripping occurs. Do not apply in food serving areas while food is exposed.

In new construction applications for the prevention of subterranean termites, structural wood is defined as: only wood needed for the basic building structure as found in the dried-in stage of construction, including wood in direct contact with foundations, interior and exterior wall sill plates, wood studs, wood or cellulosic sheathing, floor joists and sub-flooring. For new construction, this product may be considered a stand-alone (primary) treatment for protection against subterranean termites (including Formosan termite), in states requiring a preconstruction treatment. This product may also be used in conjunction with other termite control tactics to provide additional protection.

Use soap and water to clean up tools.

In structures where a soil treatment/barrier termiticide has been applied and/or termite bait system installed, Genics CuB may be applied as an additional treatment to protect wood from subterranean termites that may have penetrated the chemical gaps occurring within the termiticide-treated soil or have bypassed the bait/monitor systems and entered the structure. For termites, beetles, other insects and decay fungi that can fly or be carried directly into the structure, entirely bypassing the soil treatment.

As a remedial treatment, Genics CuB will both eliminate and prevent infestations of Formosan, native subterranean termites, wood boring beetles, carpenter ants and decay fungi. It may also be used as a supplement or alternative to fumigation in order to provide long-term residual control. Since Genics CuB is applied directly in the structure, it can be used in areas where environmental contamination is of concern (nearby wells, cisterns, etc.). The active ingredients in Genics CuB are inorganic salts and once in place, will not decompose or volatilize out of the wood.

Genics CuB is not a soil termiticide. Do not use to directly treat soil except as directed.

Older wood boring beetle larvae and especially pupae (particularly Old House Borers) already present in the wood at the time of treatment may occasionally emerge some time after treatment. This is because they are no longer feeding on the wood. This will not occur frequently enough to cause structural damage to any wooden member and reinfestation is prevented.

DIRECTIONS FOR USE

Genics CuB is **READY-TO-USE** and should be applied as an undiluted product by dip, spray, brush, roller or other means of application that allows thorough coverage of the surface.

Genics CuB may be used on all cellulosic materials including wood, plywood, particle board, paper, oriented strand board (OSB) cardboard, wood composite and foam materials. Apply Genics CuB only to bare wood, plywood, particle board and other cellulosic materials where an intact water repellent barrier, such as paint, stain or sealant is not present. Do not apply to frozen wood.

Genics CuB is a highly effective termiticide, insecticide, fungicide and moldicide that eliminates infestations and provides long term protection against:

Subterranean Termites: Reticulitermes, Heterotermes
Formosan Termites: Coptotermes
Drywood Termites: Incisitermes, Kaloterms
Dampwood Termites: Zootermopsis, Neotermes
Old House Borers, Longhorn Beetles (Cerambycidae)
Carpenter Ants (Camponotus)
Furniture and Deathwatch Beetles (Anobiidae)
Ambrosia Beetles: Platypodidae, Scolytidae
Powderpost Beetles: Lyctidae, Bostrichidae
Anobiid Beetles: Anobiidae
Wood Decay: Brown, White and Dry rot

Dip Treating Logs and Lumber: Sticker bundle wood to ensure the solution covers all wood surfaces. Submerge logs and/or lumber in the solution for at least one (1) minute or until all entrapped air has escaped. After dipping, the newly treated wood should be stacked and stored under a tarpaulin or shed roof to slow the drying process and prevent wash off by rainfall, thus improving penetration. Complete penetration may require several weeks to occur, depending upon species and thickness of wood.

Brush/Roller/Spray: For remedial control, two applications of Genics CuB are normally required for control of decay or insects while only a single application will control mold. Apply Genics CuB solution by brush, roller or spray until wood surface is thoroughly wet, at a rate of approximately 1 litre per 10 square meters [1 gal per 400 square feet] of wood surface area. When spraying, apply evenly using a medium or coarse spray at low pressures (1–2 kg/cm² [<25 psi]). Thoroughly soak cut ends. Additional coats may be applied if necessary, waiting at least 20 minutes between applications.

New Construction Treatment: For protection of wood against subterranean termites, apply Genics CuB at the 'dried-in' stage of construction, when structural wood is most accessible. This application would usually occur after walls are in place but not covered with drywall, and before installation of electrical wiring or placement of insulation. Apply one coat of Genics CuB thoroughly to structural wood, including sill plates, piers, subfloors, studs or any other structural wood component. Use no less than 1 gallon of product per 400 square feet (1 liter per 10 square meters) of treated wood. For slab construction, apply a continuous band to base plate and walls to a minimum height of 0.6 meters (2 feet) from the slab. For other types of construction, apply a two-foot (0.6 m) band around all cellulosic materials in crawl spaces and basements. In cases where access to structural wood is limited to two or less sides, two coats should be applied 20 minutes apart.

Pressure Treatment: Pressure Treatment must rigidly adhere to the current specifications of Genics CuB or those of the American Wood Preservers' Association (AWPA) for borates.

Injection: Application may be made by drilling, then injecting the solution into infested areas until refusal occurs. Product may also be applied as a foam by adding 3 to 8 ounces of foam per gallon of solution. Apply foam so as to completely fill the void and contact all surfaces in the void space.

It is important to allow treated material to completely dry (at least 48 hours, depending upon temperature and humidity) before applying any protective finish. The finish or topcoat should be applied within two weeks of treatment if the treated product is exposed to rain or running water. Although a wide variety of paints and stains have been successfully used over Genics CuB treated wood, it is always a good idea to coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

STORAGE and DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool, dry place inaccessible to children and pets and away from food or feed. Do not freeze.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned stay out of smoke.

How *Adon H regis arr*

Material to be added to a Mini-Jacket (in the case where an e-Jacket exists)

Reg. No. 71653-6

Send to SIG: check box



This material is:

New stamped-accepted label

New CSF

Notification

Final Printed Label

Other _____

Instructions: Attach this notice on top of the material. It must be clipped all together and there should be NO STAPLES in the material. Then give the material with this coversheet to staff in the Information Services Center (4th floor).

Reviewer's Name: Renae Whitaker

Phone: 703 308-7003 Division: AD

Date: 3/19/07

RISK ASSIGNMENT FOR...
Antimicrobial Division/Regulatory Management Branch II

A	Completed by Product Manager							
PRODUCT REVIEWER: Renae Whitaker						RMB II TEAM <u>34</u>		
Description of Action:						EPA File Symbol/Reg No. 71653-6		
Decision No. <u>375184</u>		Submission No. <u>805911</u>		Fee for Service Action Code:				
FQPA Action Code: 302		Non-FQPA Action Code:		PRIA FEE AMOUNT:				
	DAY	MONTH	YEAR					
APPLICATION DATE	22	February	2007					
EPA PIN DATE	21	February	2007					
DATE PM RECEIVED FROM FRONT END	26	February	2007					
DATE SENT TO SCIENCE <small>(VIVIAN COMPLETES)</small>								
DATE RECEIVED FROM SCIENCE				2007				
DATE DUE TO PM								
Type of Data:	PSB Product Chemistry	PSB Acute Toxicology	PSB Efficacy	RASSB Environmental Fate	RASSB Ecological Effects	RASSB Chronic Toxicology	RASSB Exposure /Residue	
COMMENTS:								
ATTACHMENTS: e-LABELING e-CSF(S) e-DATA e-OTHERS								
B	For Arctic Slope Contract Only							
	Contract No.: 0052		ARCTIC SLOPE/MANAGER					
	Final Task: Signature _____ (Total hrs)							
C	Reviewer Comments:							
DATE FEE PAID:				RESPONSE CODE: <u>1155</u> RESPONSE DATE: <u>3-19-07</u>				



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Monday, March 19, 2007

Zuhal Alkas
SRS International Corporation Agent for
BioLab Inc.
7700 Leesburg Pike, Suite 208
Falls Church, VA 22043

Subject: **Genics CuB**
EPA Registration No. 71653-6
Application Dated: February 22, 2007
Receipt Date: February 26, 2007

Dear Mr Alkas:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable.

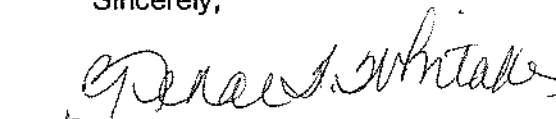
Proposed Amendment:

- Revised labeling

A stamped copy of the accepted labeling is enclosed.

Should you have any questions or comments concerning this letter, please contact me by telephone at (703) 308-6422 or email address at: heyward.adam@epa.gov, or Renae Whitaker by telephone at (703) 308-7003 or email address at: whitaker.renae@epa.gov.

Sincerely,


Adam Heyward
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

Enclosure: EPA Stamped Labeling

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

READ THE ENTIRE LABEL BEFORE USE.

PRECAUTIONARY STATEMENTS

May be harmful if swallowed. Avoid contact with eyes and skin. May cause eye irritation. Avoid rubbing eyes while working with product. Wash hands thoroughly with soap and water after handling and before eating, drinking or smoking. Store and wash all protective clothing separately from household laundry. Personal protective clothing, normal work clothes (i.e. long pants, shoes, a long sleeved shirt) plus waterproof gloves for all users of product. Do not leave container where children or animals may gain access.

DIRECTIONS FOR USE

Genics CuB may be used on all cellulosic materials including wood, plywood, particle board, paper, oriented strand board (OSB) cardboard, wood composite and foam materials. Apply Genics CuB only to bare wood, plywood, particle board and other cellulosic materials where an intact water repellent barrier, such as paint, stain or sealant is not present. Do not apply to frozen wood.

Dip Treating Logs and Lumber: Sticker bundle wood to ensure the solution covers all wood surfaces. Submerge logs and/or lumber in the solution for at least one (1) minute or until all entrapped air has escaped. After dipping, the newly treated wood should be stacked and stored under a tarpaulin or shed roof to slow the drying process and prevent wash off by rainfall, thus improving penetration. Complete penetration may require several weeks to occur, depending upon species and thickness of wood.

Brush/Roller/Spray: Two applications of Genics CuB are normally required for control of decay or insects while only a single application will control mold. Apply Genics CuB solution by brush, roller or spray until wood surface is thoroughly wet, at a rate of approximately 1 litre per 5 square metres of wood surface area. When spraying, apply evenly using a medium or coarse spray at low pressures (1-2 kg/cm²). Thoroughly soak cut ends. Apply a second coat 4 to 24 hours later.

GENICS INC. GENICS CuB

For the preservation and protection of wood and wood composites against fungal decay, mold or insect attack.

CAUTION FIRST AID

If in Eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first five minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

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If Swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

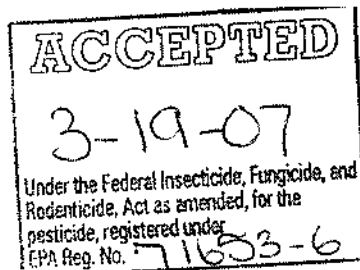
ACTIVE INGREDIENTS:

Disodium Octaborate Tetrahydrate.....	9.1%
Boric Acid	0.51%
Copper Hydroxide	0.96%
Other Ingredients	89.4%
TOTAL:	100.00%

EPA Reg. No. 71653-6
US EPA Est. 71653-CAN-01

Net Contents : x Gallons

Genics Inc.
#561 Acheson Rd. 53016 Hwy 60
Acheson, AB T7X 5A7
(780) 962-1000 FAX: (780) 962-1052
1-877-9-GENICS



Pressure Treatment: Pressure Treatment must rigidly adhere to the current specifications of Genics CuB or those of the American Wood Preservers' Association (AWPA) for borates.

Injection: Application may be made by drilling, then injecting the solution into infested areas until refusal occurs. Product may also be applied as a foam by adding 3 to 8 ounces of foam per gallon of solution. Apply foam so as to completely fill the void and contact all surfaces in the void space.

It is important to allow treated material to completely dry (at least 48 hours, depending upon temperature and humidity) before applying any protective finish. The finish or topcoat should be applied within two weeks of treatment if the treated product is exposed to rain or running water. Although a wide variety of paints and stains have been successfully used over Genics CuB treated wood, it is always a good idea to coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

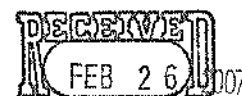
STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool, dry place inaccessible to children and pets and away from food or feed. Do not freeze.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.





SRS INTERNATIONAL CORPORATION

7700 LEESBURG PIKE, SUITE 208

FALLS CHURCH, VA 22043

TEL.: 703-821-0157 / FAX: 703-821-2299

www.srsinternational.com

Serving the World of Therapeutics Development

Hand Delivered by Courier

(703) 308 6411

Mr. Adam Heyward, PM 34
U.S. Environmental Protection Agency
Regulatory Management Branch II
Antimicrobials Division (7510P)
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

February 22, 2007

Subject: Revised Label for Genics CuB (EPA Registration No. 71653-6)

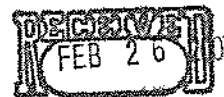
Dear Mr. Gebken,

In response to The Agency request we are, on behalf of our client Genics Inc., submitting revised labels for Genics CuB (EPA File Registration No. 71653-6). Please find attached are five (5) copies of the revised Master Label for the product.

If you have any questions regarding these submitted items, please contact me at my direct-dial (703) 821 3255, to reach my voicemail at (703) 821 0157, or by email at main@srsinternational.com.

Regards,

Zuhal Alkas
Registration Agent for
BioLab Inc.



GENICS INC. GENICS CuB

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

READ THE ENTIRE LABEL BEFORE USE.

PRECAUTIONARY STATEMENTS

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For the preservation and protection of wood and wood composites against fungal decay, mold or insect attack.

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Boric Acid	0.51%
Copper Hydroxide	0.96%
Other Ingredients	89.4%
TOTAL:	100.00%

EPA Reg. No. 71653-6
US EPA Est. 71653-CAN-01

Net Contents : x Gallons

Genics Inc.
#561 Acheson Rd. 53016 Hwy 60
Acheson, AB T7X 5A7
(780) 962-1000 FAX: (780) 962-1052
1-877-9-GENICS

ACCEPTED

3-19-07

Under the Federal Insecticide, Fungicide, and
Rodenticide Act as amended, for the
pesticide registered under
EPA Reg. No. 71653-6

Pressure Treatment: Pressure Treatment must rigidly adhere to the current specifications of Genics CuB or those of the American Wood Preservers' Association (AWPA) for borates.

Injection: Application may be made by drilling, then injecting the solution into infested areas until refusal occurs. Product may also be applied as a foam by adding 3 to 8 ounces of foam per gallon of solution. Apply foam so as to completely fill the void and contact all surfaces in the void space.

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STORAGE AND DISPOSAL

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Pesticide Storage: Store in a cool, dry place inaccessible to children and pets and away from food or feed. Do not freeze.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

RECEIVED
FEB 26 2007

FOR OFFICIAL USE ONLY

FILE SYMBOL

REGISTRATION NO.

71653-6

CONFIDENTIAL STATEMENT OF FORMULA ENCLOSED

DATE SUBMITTED	SUBMITTED BY (✓)	
	APPLICANT	BASIC SUPPLIER

**Do Not Write Comments,
Formula, or Parts of Formula
on This Envelope**

NOTE

It shall be unlawful—for any person to use for his own advantage or to reveal, other than to the Secretary, or officials or employees of the United States Department of Agriculture or other Federal agencies, or to the courts in response to a subpoena, or to physicians, and in emergencies to pharmacists and other qualified persons, for use in the preparation of antidotes, in accordance with such directions as the Secretary may prescribe, any information relative to formulas of products acquired by authority of Section 4 of the "Federal Insecticide, Fungicide, and Rodenticide Act."

181-184 Confidential Statement of Formula may be entitled to confidential treatment